

2026 Regular Session

HOUSE BILL NO. 251

BY REPRESENTATIVE MANDIE LANDRY

CRIMINAL/PROCEDURE: Provides with respect to criminal resentencing

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 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 contradictory hearing where the victim shall have the right to make a
14 statement pursuant to this Subsection. The trial court shall provide written notice of
15 the pending motion and its impact to the victim. Any motion granted without
16 compliance with this Paragraph shall be null. Any motion granted that is subject to
17 the provisions of this Paragraph and pending appellate review may be remanded for
18 consideration of the victim's statement. When the victim is deceased or unable to
19 appear due to disability, every reference in this Paragraph to the victim shall instead
20 apply to the victim's family as defined in R.S. 46:1842(18).

21 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, 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)]

HB 251 Original

2026 Regular Session

Mandie Landry

Abstract: Requires a trial court to hold a contradictory hearing where the victim of a crime has a right to testify prior to the court vacating or reducing the offender's sentence.

Present law (R.S. 46:1844) provides for the basic rights for victims and witnesses.

Present law provides the right of the victim to be present and heard at all critical stages of trial.

Proposed law retains present law.

Proposed law prohibits a court from reducing or vacating a sentence without first holding a contradictory hearing where the victim has a right to be heard.

Proposed law requires the trial court to provide written notice to the victim of the pending motion to vacate or resentence.

Proposed law allows the victim's family to testify if the victim is deceased or unable to appear due to disability.

(Adds R.S. 46:1844(K)(4))