
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)]

SB 215 Engrossed

DIGEST
2026 Regular Session

McMath

Present law provides for the grounds of post conviction relief.

Present law provides relative to parole eligibility for certain offenders.

Proposed law adds an additional ground for convictions rendered by a verdict from a non-unanimous jury.

Proposed law authorizes the Dept. of Public Safety and Corrections (DPS&C) to create and establish the Special Committee on Parole for Non-unanimous Jury Convictions (special committee) for the purpose of reviewing all cases in which a non-unanimous jury verdict was rendered prior to 2018. Provides for the composition and duties of the board. Further authorizes the DPS&C to adopt rules and regulations necessary to carry out proposed law.

Proposed law provides that the special committee shall consist of three retired appellate court judges or supreme court justices appointed by the governor, one retired district attorney or assistant district attorney appointed by the governor from a list of three nominations by the La. District Attorneys Assoc., one retired public defender or assistant public defender appointed by the governor from a list of three nominations by the state public defender, and one ad hoc member from each of the categories established by proposed law.

Proposed law requires petitioner to submit a certified copy of the entirety of the record upon which the petitioner's application is based, any testimony of the petitioner or victim, and any written statement submitted by the district attorney of the judicial district where the conviction was obtained. Further provides permissive factors that the special committee may consider in determining whether the non-unanimous verdict resulted in a miscarriage of justice.

Proposed law requires a unanimous vote of the special committee for an affirmative finding that the petitioner's conviction was both the result of a non-unanimous jury verdict and the non-unanimous verdict resulted in a miscarriage of justice.

Proposed law provides that no application for post conviction relief shall be considered if it is filed more than one year after the effective date of this proposed law.

Proposed law requires that the implementation of the provisions of proposed law is subject to the appropriation of funds by the legislature for this purpose.

Proposed law provides for a termination date three years after the effective date of proposed law.
Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 15:574.2.2)