
HOUSE COMMITTEE AMENDMENTS

2026 Regular Session

Amendments proposed by House Committee on Administration of Criminal Justice to
Original House Bill No. 1107 by Representative Melerine

1 AMENDMENT NO. 1

2 On page 1, line 9, after "retroactivity," and before "and" insert "to provide for applicability;
3 to provide for limitations;"

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5 AMENDMENT NO. 2

6 On page 1, line 19, delete "a preponderance of the" and insert "clear and convincing"

7 AMENDMENT NO. 3

8 On page 4, line 14, after "report" delete the remainder of the line and delete lines 15 through
9 17 in their entirety and insert "at least thirty days before the state files procedural objections
10 and, upon a finding of good cause by the court, at least sixty days before any hearing on the
11 merits. The expert report shall contain a determination of the petitioner's intelligence
12 quotient."

13 AMENDMENT NO. 4

14 On page 4, between lines 26 and 27, insert the following:

15 "(4) The expert report provided in Subparagraph (1) of this Paragraph is
16 subject to the criteria for use of expert evidence as set forth by the Supreme Court
17 of the United States in *Daubert vs. Merrell Dow Pharmaceuticals*, 509 U.S. 579
18 (1993) and the Louisiana Supreme Court in *State v. Foret*, 628 So. 2d 1116 (La.
19 1993).

20 (5) A petitioner who, on the sole basis of a written expert report, is unable
21 to prove subaverage intellectual functioning by clear and convincing evidence shall
22 not be granted an evidentiary hearing on his claim of intellectual disability."

23 AMENDMENT NO. 5

24 On page 5, between lines 10 and 11, insert the following:

25 "I. This Article applies only to claims of intellectual disability that are raised
26 in post-conviction proceedings for capital cases. Nothing in this Article shall be
27 construed to control, limit, expand, or otherwise affect any of the following:

- 28 (1) The meaning of disability, intellectual disability, or any related term.
29 (2) Any right, protection, benefit, or eligibility determination under any other
30 provision of state or federal law."