

2026 Regular Session

HOUSE BILL NO. 131

BY REPRESENTATIVE BACALA

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 930.4(B) and (C) and to enact
3 Code of Criminal Procedure Article 930.5(C), relative to post-conviction relief; to
4 provide relative to repetitive applications; to provide relative to custody and bail
5 pending retrial; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Code of Criminal Procedure Article 930.4(B) and (C) are hereby amended
8 and reenacted and Code of Criminal Procedure Article 930.5(C) is hereby enacted to read
9 as follows:

10 Art. 930.4. Jurisdictional bars to relief; repetitive applications

11 * * *

12 B. If the application alleges a claim of which the petitioner had knowledge
13 and ~~inexcusably~~ failed to raise in the proceedings leading to conviction, the court
14 shall deny relief.

15 C. If the application alleges a claim which the petitioner raised in the trial
16 court and ~~inexcusably~~ failed to pursue on appeal, the court shall deny relief.

17 * * *

18 Art. 930.5. Custody pending retrial; bail

19 * * *

20 C. The provisions of Paragraph B of this Article do not apply until a
21 judgment granting post-conviction relief becomes final. If relief is granted, the
22 effect of that judgment shall be stayed until either of the following occurs:

1 (1) The time period to invoke the supervisory jurisdiction of the Louisiana
2 Supreme Court has expired.

3 (2) The Louisiana Supreme Court, after receipt of a timely application, has
4 taken final action on the matter.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____