

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 voidable as a patent error pursuant to Code  
17 of Criminal Procedure Article 920(2). Any motion granted that is subject to the  
18 provisions of this Paragraph and pending appellate review may, sua sponte, be  
19 remanded for consideration of the victim's statement. When the victim is deceased  
20 or unable to appear due to disability, every reference in this Paragraph to the victim  
21 shall instead apply to the victim's family as defined in R.S. 46:1842(18). This

