
HOUSE COMMITTEE AMENDMENTS

2026 Regular Session

Amendments proposed by House Committee on Administration of Criminal Justice to
Engrossed Senate Bill No. 448 by Senator Luneau

1 AMENDMENT NO. 1

2 On page 2, at the beginning of line 9, change "E." to "E.(1)"

3 AMENDMENT NO. 2

4 On page 2, delete line 20 in its entirety and insert the following:

5 "other reason unless the person makes an application in accordance with
6 R.S. 15:175(A). If the district public defender or state public defender declines
7 the application for expert witness funding, the matter may be fixed for a
8 contradictory hearing that is closed to the public and without the presence of
9 the prosecuting authority. All recordings and transcripts of the contradictory
10 hearing shall be sealed. To require the payment of any expert witness fee, the
11 applicant shall demonstrate by a preponderance of the evidence at the hearing
12 and the court shall make specific findings as follows:

13 (a) The applicant is actually indigent.

14 (b) Private counsel of the applicant does not have funds that may be
15 used for expert witnesses.

16 (c) The source of funding for private counsel is not available for expert
17 witnesses.

18 (d) The applicant has demonstrated with a reasonable degree of
19 specificity what type of expert is needed and the purpose of the expert.

20 (e) There is a reasonable probability that denial of the expert's
21 assistance would result in a fundamentally unfair trial for the applicant.

22 (2) The findings and ruling of the court are subject to immediate
23 interlocutory review by the appellate court of competent jurisdiction."