

SENATE BILL NO. 81

BY SENATOR MORRIS

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Art. 780(C), relative to the right to waive
3 trial by jury; to provide for requiring written prosecutorial consent to jury trial
4 waivers in noncapital felony cases; to provide for effectiveness; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Code of Criminal Procedure Art. 780(C) is hereby amended and reenacted
8 to read as follows:

9 Art. 780. Right to waive trial by jury

10 * * *

11 C. ~~With the consent of the district attorney the defendant may waive trial by~~
12 ~~jury within forty-five days prior to the commencement of trial~~ **The court shall deny**
13 **a defendant's motion to waive a jury trial unless the prosecuting authority**
14 **provides written consent to the waiver.**

15 * * *

16 Section 2. This Act shall take effect and become operative if and when the proposed
17 amendment to Article I, Section 17(A) of the Constitution of Louisiana contained in the Act
18 which originated as Senate Bill No. 97 of the 2026 Regular Session of the Legislature is
19 finally adopted at a statewide election and becomes effective.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____