

SENATE SUMMARY OF HOUSE AMENDMENTS

SB 125

2026 Regular Session

Boudreaux

KEYWORD AND SUMMARY AS RETURNED TO THE SENATE

CRIMINAL PROCEDURE. Increases the compensation cap for the wrongful conviction compensation law. (See Act.)

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Makes effectiveness of proposed law subject to appropriation of monies by the legislature for the implementation of proposed law.
2. Changes the date when petitioners would be eligible for the new lifetime cap for compensation under proposed law from August 1, 2026 to August first of the calendar year in which the Act becomes effective.
3. Changes the deadline when petitioners who were previously awarded compensation under present law may file a petition seeking supplemental compensation under proposed law from August 1, 2027 to August first of the calendar year following the calendar year in which the Act becomes effective.
4. Makes technical changes.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

DIGEST

SB 125 Reengrossed

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Present law requires that after July 1, 2022, compensation for the physical harm and injury suffered by the petitioner be calculated at a rate of \$40,000 per year incarcerated, not to exceed a maximum total amount of \$400,000, to be paid at a rate of \$40,000 annually.

Proposed law retains present law regarding the rate of \$40,000 per year, but increases the lifetime cap from \$400,000 to \$600,000.

Present law authorizes that beginning July 1, 2022, any petitioner who has been awarded compensation by the court pursuant to the provisions of present law, on or after September 1, 2005, and prior to July 1, 2022, to file a petition seeking supplemental compensation in the amount authorized by present law.

Proposed law authorizes that beginning August 1st of the calendar year in which the Act becomes effective, any petitioner who has been awarded compensation by the court pursuant to the provisions of proposed law, on or after September 1, 2005, and prior to August 1st of the calendar year in which the Act becomes effective, to file a petition seeking supplemental compensation in the amount authorized by proposed law.

Present law requires the petitioner to file a petition seeking supplemental compensation on or before July 1, 2023, or be forever barred from filing a supplemental petition.

Proposed law requires the petitioner to file a petition seeking supplemental compensation on or before August 1st of the calendar year following the calendar year in which the Act becomes effective, or be forever barred from filing a supplemental petition.

Effective upon appropriation of funds by the legislature.

(Amends R.S. 15:572.8(H)(2) and (Q))