

RÉSUMÉ DIGEST

ACT 585 (SB 201)

2026 Regular Session

Morris

Existing law provides that within 180 days after an indictment for first degree murder, the district attorney may file a notice of intent to seek a sentence of life imprisonment without possibility of parole for a juvenile offender who is indicted on or after August 1, 2017. Existing law further provides that if a district attorney files such notice, a hearing will be conducted after conviction and before sentencing solely to determine if the offender will be eligible for parole.

New law retains existing law and makes existing law applicable to an indictment for second degree murder.

Existing law provides for parole eligibility or ineligibility based on either judicial determination or the failure of the district attorney to timely file a notice of intent.

New law retains existing law and applies existing law to new law.

Existing law provides that a sentence imposed without parole eligibility and a determination that an offender is not entitled to parole eligibility should normally be reserved for the worst offenders and the worst cases.

New law deletes existing law.

New law requires a reviewing court to give paramount consideration to the information considered by the trier of fact that rendered the original sentence.

New law prohibits the reviewing court, in cases where a juvenile offender was originally sentenced to death after the court considered but rejected youth as a mitigating factor, from substituting its judgment for the judgment of the trier of fact unless the trier of fact clearly abused its discretion and could not have reasonably reached that result.

Prior law provided that a person who was convicted of first or second degree murder and who was under 18 years of age when the offense was committed and whose indictment was prior to August 1, 2017, will be eligible for parole consideration if the court determines that he is eligible pursuant to existing law relative to parole eligibility.

New law provides that a person who was convicted of first or second degree murder and who was under 18 years of age when the offense was committed and whose indictment was either prior to Aug. 1, 2017, or on or after Aug. 1, 2026, will be eligible for parole consideration if the court determines that he is eligible pursuant existing law relative to parole eligibility.

Effective August 1, 2026.

(Amends C.Cr.P. Art. 878.1(A) and (D) and R.S. 15:574.4(G)(1)(intro para))