
DIGEST

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HB 577 Original

2022 Regular Session

Willard

Abstract: Provides relative to criminal procedure when the U.S. Supreme Ct. or La. Supreme Ct. overrules or holds any provision of criminal procedure unconstitutional.

Present law provides that the provisions of present law (C.Cr.P.) are intended to provide for the just determination of criminal proceedings and shall be construed to secure simplicity in the procedure, fairness in administration, and the elimination of unjustifiable delay.

Proposed law retains present law and provides that when the U.S. Supreme Ct. or the La. Supreme Ct. overrules or holds any provision of present law unconstitutional, such ruling shall be applied retroactively to all cases of final disposition.

Proposed law further provides that proposed law shall apply to any ruling after Jan. 1, 2018.

Proposed law provides that any post conviction relief application filed prior to Dec. 31, 2023, shall be considered timely and not repetitive pursuant to present law (C.Cr.P. Art. 930.4)

(Adds C.Cr.P. Art. 15.1)