

2026 Regular Session

SENATE BILL NO. 125

BY SENATORS BOUDREAUX, ABRAHAM AND BARROW

CRIMINAL PROCEDURE. Increases the compensation cap for the wrongful conviction compensation law. (8/1/26)

1 AN ACT

2 To amend and reenact R.S. 15:572.8(H)(2) and (Q), relative to reprieve and pardons of  
3 convicted persons; to provide for compensation for wrongful conviction and  
4 imprisonment; to provide for deadline to file for supplemental compensation; to  
5 provide relative to implementation; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 15:572.8(H)(2) and (Q) are hereby amended and reenacted to read  
8 as follows:

9 §572.8. Compensation for wrongful conviction and imprisonment; petition process;  
10 compensation; proof; assignment of powers and duties

11 \* \* \*

12 H.(1) \* \* \*

13 (2)(a) Compensation for the physical harm and injury suffered by the  
14 petitioner shall be calculated at a rate of twenty-five thousand dollars per year  
15 incarcerated, not to exceed a maximum total amount of two hundred fifty thousand  
16 dollars, to be paid at a rate of twenty-five thousand dollars annually.

17 (b) After July 1, 2022, **through July 31, 2026**, compensation for the physical

1 harm and injury suffered by the petitioner shall be calculated at a rate of forty  
2 thousand dollars per year incarcerated, not to exceed a maximum total amount of  
3 four hundred thousand dollars, to be paid at a rate of forty thousand dollars annually.

4 (c) **Beginning August 1, 2026, compensation for the physical harm and**  
5 **injury suffered by the petitioner shall be calculated at a rate of forty thousand**  
6 **dollars per year incarcerated, not to exceed a maximum total amount of six**  
7 **hundred thousand dollars, to be paid at a rate of forty thousand dollars**  
8 **annually.**

9 (d) Any petitioner who has not previously been awarded compensation  
10 pursuant to the provisions of this Section who files a petition seeking compensation  
11 on or after July 1, 2022, has the option to receive a lump sum payment in the amount  
12 of two hundred fifty thousand dollars in lieu of receiving forty thousand dollars  
13 annually.

14 \* \* \*

15 Q. Beginning ~~July 1, 2022~~ **August 1, 2026**, any petitioner who has been  
16 awarded compensation by the court pursuant to the provisions of this Section, on or  
17 after September 1, 2005, and prior to ~~July 1, 2022~~ **August 1, 2026**, may file a  
18 petition seeking supplemental compensation in the amount authorized by the  
19 provisions of Subparagraph (H)(2)(~~b~~)(c) of this Section. The petitioner shall file a  
20 petition seeking supplemental compensation on or before ~~July 1, 2023~~ **August 1,**  
21 **2027**, or be forever barred from filing a supplemental petition. Any compensation  
22 awarded pursuant to this Subsection shall be awarded at a rate of forty thousand  
23 dollars annually.

24 \* \* \*

25 Section 2. Implementation of the provisions of this Act shall be subject to the  
26 appropriation of funds by the legislature for this purpose.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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## DIGEST

SB 125 Reengrossed

2026 Regular Session

Boudreaux

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 of \$400,000.

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 1, 2026, 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 1, 2026, 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 1, 2027, or be forever barred from filing a supplemental petition.

Implementation of the provisions of proposed law shall be subject to the appropriation of funds by the legislature for this purpose.

Effective August 1, 2026.

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

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Finance to the engrossed bill

1. Provide that implementation of proposed law shall be subject to the appropriation of funds by the legislature for this purpose.
2. Make technical changes.