
HOUSE COMMITTEE AMENDMENTS

2021 Regular Session

Amendments proposed by House Committee on Administration of Criminal Justice to
Original House Bill No. 303 by Representative Lyons

1 AMENDMENT NO. 1**2** On page 1, line 14, after "by the" and before "originally" change "agency" to "officer"**3** AMENDMENT NO. 2**4** On page 1, at the beginning of line 16, change "agency" to "officer"**5** AMENDMENT NO. 3**6** On page 2, at the beginning of line 5, after "the" and before "originally" change "agency"
7 to "officer"**8** AMENDMENT NO. 4**9** On page 2, delete lines 6 through 28 in their entirety and insert the following:**10** "(c) The surety has paid to the officer the reasonable costs of returning the
11 defendant to the jurisdiction where the warrant for arrest was issued. ~~reasonable or~~ reasonable or
12 actual costs of returning the defendant to the jurisdiction where the warrant for arrest
13 was issued by one of the following methods:**14** (i) Within twenty-four hours upon presentation of proof of the defendant's
15 current incarceration in a foreign jurisdiction to the officer originally charged with
16 the defendant's detention, the officer shall provide the surety with the reasonable or
17 actual costs of returning the defendant to the jurisdiction where the warrant for arrest
18 was issued.**19** (ii) The surety tenders to the officer originally charged with the defendant's
20 detention the reasonable or actual costs of returning the defendant to the jurisdiction
21 where the warrant for arrest was issued.**22** (iii) The surety provides proof of payment to the court and to the prosecuting
23 attorney.**24** (iv)(aa) In cases where the reasonable or actual costs of returning the
25 defendant to the jurisdiction where the warrant for arrest was issued are not
26 immediately known, the surety may deposit the estimated costs of returning the
27 defendant to the jurisdiction where the warrant for arrest was issued in the registry
28 of the court. Estimated costs may be calculated based on one dollar per mile.**29** (bb) The surety shall provide proof of deposit to the registry of the court to
30 the court and the prosecuting attorney.**31** (cc) If the actual costs of returning the defendant to the jurisdiction where
32 there warrant for arrest was issued is more than the estimated costs deposited in the
33 registry of the court, the officer originally charged with the defendant's detention
34 may file a rule to show cause with the court to recover the difference."**35** AMENDMENT NO. 5**36** On page 3, delete lines 1 through 6 in their entirety.**37** AMENDMENT NO. 6**38** On page 3, delete line 7, and insert the following:**39** "(5) A surety's motion and affidavit for issuance of warrant may be filed
40 when the"

1 AMENDMENT NO. 7

2 On page 3, line 9, after "or" and before the period "." delete "the court's designee where the
3 charges are pending" and insert "in which the bail obligation is in place"

4 AMENDMENT NO. 8

5 On page 3, between lines 11 and 12, insert "(a) There has been a breach of the bail
6 undertaking."

7 AMENDMENT NO. 9

8 On page 3, delete lines 12 through 14 in their entirety and insert the following:

9 " (b) The surety provides proof of the defendant's current incarceration
10 outside of the state of Louisiana. The defendant's incarceration may be used as
11 evidence of a breach of the bail undertaking."

12 AMENDMENT NO. 10

13 On page 3, at the beginning of line 15, change "(ii)" to "(c)"

14 AMENDMENT NO. 11

15 On page 3, line 15, after "have" and before "permission" insert "written"

16 AMENDMENT NO. 12

17 On page 3, at the beginning of line 17, delete "(b) The court may, in its discretion" and insert
18 "(d) Upon presentation of evidence of the breach of the bail undertaking, the court may"

19 AMENDMENT NO. 13

20 On page 3, line 18, after "bail" and before the period "." change "obligation" to
21 "undertaking"

22 AMENDMENT NO. 14

23 On page 3, at the beginning of line 19, change "(c)" to "(e)"

24 AMENDMENT NO. 15

25 On page 3, delete lines 21 through 23 in their entirety.