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HOUSE FLOOR AMENDMENTS

2016 Regular Session

Amendments proposed by Representative Bagneris to Reengrossed Senate Bill No. 123 by Senator Claitor

1 AMENDMENT NO. 1

2 On page 2, line 3, after "contract;" and before "and" insert "to provide procedures relative
3 to the parish of Orleans;"

4 AMENDMENT NO. 2

5 On page 38, delete line 20 in its entirety and insert "**(2)(a) Except in the parish of Orleans,**
6 **upon**"

7 AMENDMENT NO. 3

8 On page 38, at the end of line 25, add the following:

9 **"(b) In the parish of Orleans, the surety shall be fully and finally**
10 **discharged and relieved of all obligations under the bail undertaking by**
11 **operation of law, without the need to file a motion or other pleading,**
12 **upon surrender of the defendant at any time prior to the expiration of**
13 **one hundred eighty days after the issuance of a warrant for the**
14 **defendant's arrest."**

15 AMENDMENT NO. 4

16 On page 38, line 26, after "**D.**" and before "**surety**" delete "**A**" and insert "**Except in the**
17 **parish of Orleans, a**"

18 AMENDMENT NO. 5

19 On page 38, line 27, after "**sent.**" and before "**After**" insert the following:

20 **"In the parish of Orleans, a surety may constructively surrender the**
21 **defendant only within one hundred eighty days after the issuance of a**
22 **warrant for the defendant's arrest."**

23 AMENDMENT NO. 6

24 On page 39, delete line 2 in its entirety and insert "**E. At Except in the parish of Orleans,**
25 **at** any time prior to"

26 AMENDMENT NO. 7

27 On page 39, line 6, after "party." and before "The" insert the following:

28 **"In the parish of Orleans, at any time prior to the defendant's failure to**
29 **appear or within one hundred eighty days after the issuance of a**
30 **warrant for the defendant's arrest, the surety may file with the clerk of**

1 court and present to the court a certificate of death naming the
2 defendant as the deceased party."

3 AMENDMENT NO. 8

4 On page 43, at the beginning of line 12, insert "A."

5 AMENDMENT NO. 9

6 On page 44, between lines 11 and 12, insert "B. The provisions of this Article shall not
7 apply in the parish of Orleans."

8 AMENDMENT NO. 10

9 On page 44, at the beginning of line 19, delete "If" and insert "A. Except as provided in
10 Paragraph B of this Article, if"

11 AMENDMENT NO. 11

12 On page 44, between lines 27 and 28, insert the following:

13 "B. In the parish of Orleans, if the defendant fails to make an
14 appearance and has not been surrendered or constructively surrendered
15 within one hundred eighty days of the issuance of a warrant for his
16 arrest, the prosecuting attorney may file a rule to show cause requesting
17 that a bond forfeiture judgment be rendered. The rule to show cause
18 shall be mailed to the defendant and his surety at the address provided
19 on the bond. The rule to show cause shall be set for a contradictory
20 hearing."

21 AMENDMENT NO. 12

22 On page 47, line 15, after "(4)" and before "that" delete "Proof" and insert "(a) Except in
23 the parish of Orleans, proof"

24 AMENDMENT NO. 13

25 On page 47, at the end of line 16, add the following:

26 "(b) In the parish of Orleans, proof that more than one hundred
27 eighty days have elapsed since the issuance of a warrant for the
28 defendant's arrest."

29 AMENDMENT NO. 14

30 On page 49, at the beginning of line 35, delete "A. Notice" and insert "A.(1) Except in the
31 parish of Orleans, notice"

32 AMENDMENT NO. 15

33 On page 49, between lines 37 and 38, insert the following:

34 "(2) In the parish of Orleans, notice of the signing of judgment
35 of bond forfeiture shall be mailed by the clerk of court to the defendant
36 and his surety at the address listed on the bond."

37 AMENDMENT NO. 16

38 On page 53, delete line 10 in its entirety and insert the following:

1 ~~"(4) (3)(a) The Except in the parish of Orleans, the~~ defendant has
2 neither **not** been surrendered, **constructively**"

3 AMENDMENT NO. 17

4 On page 53, between lines 17 and 18, insert the following:

5 **"(b) In the parish of Orleans, the defendant has not been**
6 **surrendered, constructively surrendered, nor appeared within one**
7 **hundred eighty days of the issuance of a warrant for the defendant's**
8 **arrest.**"

9 AMENDMENT NO. 18

10 On page 54, at the beginning of line 23, delete "(4) The" and insert "(4)(a) The Except in
11 **the parish of Orleans, the**"

12 AMENDMENT NO. 19

13 On page 54, between lines 26 and 27, insert the following:

14 **"(b) In the parish of Orleans, the defendant has neither been**
15 **surrendered, constructively surrendered, nor appeared within one**
16 **hundred eighty days of the issuance of a warrant for the defendant's**
17 **arrest.**"

18 AMENDMENT NO. 20

19 On page 54, at the beginning of line 27, delete "(5) More" and insert "(5)(a) More Except
20 **in the parish of Orleans, more**"

21 AMENDMENT NO. 21

22 On page 54, after line 29, add the following:

23 **"(b) In the parish of Orleans, more than one hundred eighty days**
24 **have elapsed since the issuance of a warrant for the defendant's arrest.**"

25 AMENDMENT NO. 22

26 On page 55, at the beginning of line 26, delete "(d) The" and insert "(d)(i) The Except in the
27 **parish of Orleans, the**"

28 AMENDMENT NO. 23

29 On page 55, after line 29, add the following:

30 **"(ii) In the parish of Orleans, the defendant has neither been**
31 **surrendered, constructively surrendered, nor appeared within one**
32 **hundred eighty days of the issuance of a warrant for the defendant's**
33 **arrest.**"

34 AMENDMENT NO. 24

35 On page 56, at the beginning of line 1, delete "(e) More" and insert "(e)(i) More Except in
36 **the parish of Orleans, more**"

1 AMENDMENT NO. 25

2 On page 56, between lines 3 and 4, insert the following:

3 **"(ii) In the parish of Orleans, more than one hundred eighty days**
4 **have lapsed since the issuance of a warrant for the defendant's arrest."**