
DIGEST

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HB 332 Engrossed

2017 Regular Session

Terry Brown

Abstract: Revises law regarding notice of a warrant for arrest.

Present law requires the defendant and personal surety signing a bail undertaking to provide the address at which each can be served and a mailing address, if different. Requires a commercial surety to provide a proper mailing address and electronic address to execute the bail undertaking. Present law further requires the agent or bondsman posting the bail undertaking to place his proper mailing address under his signature.

Proposed law retains present law but provides that the clerk shall comply with providing notice of a warrant of arrest if the parties to receive notice have provided proper mailing and electronic addresses to the clerk.

Present law provides that after a warrant for arrest is issued, the clerk of court has 60 days to send a notice of warrant for arrest to the prosecuting attorney, the defendant, the bail agent or bondsman, if any, and the personal surety.

Proposed law removes the requirement that a notice of warrant for arrest be sent to the defendant and otherwise retains present law.

Proposed law also provides that the notice of warrant for arrest provisions do not apply to motor vehicle violations.

Effective on Jan. 1, 2018.

(Amends C.Cr.P. Arts. 334 and 336(A)(3); Adds C.Cr.P. Art. 329(F))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Amend the proposed law requirement for the clerk to send notice of warrant for arrest to the commercial surety to parties to receive notice if the proper mailing addresses and electronic addresses are filed in the record.
2. Restore present law relative to the requirement for notice of warrant for arrest to be sent

by electronic means to the bail agent or bondsman, if any, and the personal surety and remove the requirement that the notice be sent to the defendant.

3. Add an effective date of Jan. 1, 2018.