

SENATE BILL NO. 234

BY SENATOR LAFLEUR AND REPRESENTATIVE MARCELLE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 323(B), relative to bail; to
3 provide that a secured personal surety specifically relate to identified property; and
4 to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Criminal Procedure Article 323(B) is hereby amended and
7 reenacted to read as follows:

8 Art. 323. Secured personal surety

9 * * *

10 B. Bail without surety may be secured by a mortgage on the **immovable**
11 property of the defendant pursuant to this Article or unsecured. A secured personal
12 surety may establish a mortgage over immovable property in favor of the state of
13 Louisiana or the proper political subdivision to secure a bail undertaking. **The**
14 **security shall apply only to and be limited to that immovable property**
15 **specifically described in the mortgage.**

16 * * *

17 Section 2. This Act shall become effective upon signature by the governor or, if not
18 signed by the governor, upon expiration of the time for bills to become law without signature
19 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

1 vetoed by the governor and subsequently approved by the legislature, this Act shall become
2 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____