2017 Regular Session

HOUSE BILL NO. 219

BY REPRESENTATIVE LEOPOLD

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 331(A)(1) and (2) and to repeal

3   Code of Criminal Procedure Article 331(A)(3), relative to bail; to provide relative

4   to the discharge of bail obligations; to provide that the bail undertaking ceases and

5   the surety is relieved of bail obligations upon conviction in any case; and to provide

6   for related matters.

7 Be it enacted by the Legislature of Louisiana:

8   Section 1. Code of Criminal Procedure Article 331(A)(1) and (2) are hereby

9 amended and reenacted to read as follows:

10   Art. 331. Discharge of bail obligation

11   A.(1) Upon conviction ~~and imposition of sentence or the pronouncement of~~

12   ~~sentence or condition of probation pursuant to Article 894 in misdemeanor cases~~ in

13   any case, the bail undertaking shall cease and the surety shall be relieved of all

14   obligations under the bail undertaking.

15   (2) ~~Upon conviction in any felony case, the bail undertaking shall cease and~~

16   ~~the surety shall be relieved of all obligations under the bail undertaking.~~

17   ~~(3)~~ In all cases, if necessary to assure the presence of the defendant at all

18   future stages of the proceedings, the court may in its discretion, in accordance with

19   Article 312 require the defendant to post another bail undertaking or other acceptable

20   security, or may release the defendant on bail without surety as provided for in

21   Article 325. The court may continue the existing bail undertaking with the written

1   approval of the surety on the bail undertaking. Such approval must be obtained from

2   the surety after conviction.

3   *   *   *

4   Section 2. Code of Criminal Procedure Article 331(A)(3) is hereby repealed in its

5   entirety.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

_____
PRESIDENT OF THE SENATE

_____
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.