
DIGEST

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HB 83 Original

2021 Regular Session

Fontenot

Abstract: Provides relative to the payment of bail obligations when the arrest occurs in a different jurisdiction from where the bail obligation originated.

Proposed law allows the bail obligation to be paid to either the jurisdiction where the bail originated or to the jurisdiction where the arrest was made.

Proposed law requires the amount of the bail obligation to be included in the warrant or attachment. In the event that the amount is not included in the warrant or attachment, proposed law allows anyone in the jurisdiction where the bail obligation originated who is authorized to set bail pursuant to present law (C.Cr.P. Art. 314) to set a bail amount within 24 hours.

Proposed law provides that the jurisdiction where the bail obligation originated retains the right to have the person in custody transported.

Proposed law provides that a person in custody may be released if the jurisdiction where the bail obligation originated does not object to the posting of bail or release from custody. Proposed law further provides that the jurisdiction where the bail obligation originated is responsible for transporting the person to the appropriate jurisdiction within the time prescribed by present law if the jurisdiction where the bail obligation originated objects to the posting of bail or release from custody.

Proposed law requires written notice that the bail has been posted and that release from custody is authorized shall be provided to the jurisdiction having custody of the arrested person.

Proposed law also requires that notice, as provided by present law (C.Cr.P. Art. 330), shall be given to the arrested person upon release, and proposed law further requires the notice to include the date, time, and location of any court appearances as well as any conditions of bail that may exist.

Proposed law provides that it is the responsibility of the jurisdiction from which the warrant or attachment originated to deliver information necessary to provide notice in accordance with present law to the jurisdiction having custody of the person.

Proposed law further provides that it is the responsibility of the jurisdiction having custody of the arrested person to transfer all necessary paperwork, documents, sureties, and currency to the jurisdiction from which the warrant or attachment originated within seven business days.

(Adds C.Cr.P. Art. 330.1)