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**HOUSE COMMITTEE AMENDMENTS**

2021 Regular Session

Amendments proposed by House Committee on Administration of Criminal Justice to  
Original House Bill No. 344 by Representative BryantAMENDMENT NO. 1

On page 1, delete line 2 in its entirety and insert "To enact R.S. 32:398.1(C) and (D) and to enact Code of Criminal"

AMENDMENT NO. 2

On page 1, line 3, after "211(E)," and before "relative" delete "and R.S. 32:641(F) and (G),"

AMENDMENT NO. 3

On page 1, line 4, after "procedure;" and before "to provide" insert "to provide relative to notice;"

AMENDMENT NO. 4

On page 1, line 5, after "traffic" and before "warrants" change "violations," to "citations,"

AMENDMENT NO. 5

On page 1, at the beginning of line 6, change "summons" to "summonses"

AMENDMENT NO. 6

On page 1, delete lines 8 through 21 in their entirety and insert the following:

"Section 1. R.S. 32:398.1(C) and (D) are hereby enacted to read as follows:

§398.1. Traffic citations; form; issuance

\* \* \*

C. All citations issued by traffic enforcement agencies, in addition to any other requirements contained in this Title or any other provision of law, shall contain the following notice:

(1) A person shall not be arrested, jailed, or have his license suspended for inability to pay a fine, costs, or fees associated with their case or any other case unless the court finds, after a hearing, that the person had the ability to pay and willfully refused to do so.

(2) If a person fails to appear before the court on the date given in this notice and does not contact the court in advance to request an alternative date, a warrant may be issued for the person's arrest, and the person may face sanctions by the court.

(3) If a person is unable to make a payment toward any fine, cost, or fee ordered by the court, a request may be made for payment alternatives including but not limited to any or all of the following:

(a) A reduction of the amount owed.

(b) A payment plan.

(c) Community service.

(d) Any documentation or information the person wants the court to consider in determining their ability to pay shall be brought to court.

D. Receipt of a traffic citation that includes the notice in accordance with Subsection C of this section shall be deemed to have satisfied the notice requirements set forth in Code of Criminal Procedure Article 202(H)."

1 AMENDMENT NO. 7

2 On page 2, delete lines 1 through 19 in their entirety

3 AMENDMENT NO. 8

4 On page 3, between lines 20 and 21, insert the following:

5 "(d) Personal service shall not be deemed completed until a receipt of notice  
6 signed by the defendant is placed in the defendant's case file."

7 AMENDMENT NO. 9

8 On page 4, delete lines 3 through 6 in their entirety and insert the following:

9 "the following information:

10 (1) A person shall not be arrested, jailed, or have their license suspended for  
11 inability to pay a fine, costs, or fees associated with their case or any other case  
12 unless the court finds, after a hearing, that the person had the ability to pay and  
13 willfully refused to do so.

14 (2) If a person fails to appear before the court on the date given in this  
15 summons and does not contact the court in advance to request an alternative date, a  
16 warrant may be issued for the person's arrest and the person may face sanctions by  
17 the court.

18 (3) If a person is unable to make a payment toward any fine, cost, or fee  
19 ordered by this court, a request may be made for payment alternatives including but  
20 not limited to any or all of the following:

21 (a) A reduction of the amount owed.

22 (b) A payment plan.

23 (c) Community service.

24 (d) Any documentation or information the person wants the court to consider  
25 in determining their ability to pay shall be brought to court."