

2022 Regular Session

HOUSE BILL NO. 478

BY REPRESENTATIVE FONTENOT

CRIMINAL/RECORDS: Provides relative to the inspection of records for criminal bail bonds

1 AN ACT

2 To enact R.S. 40:41(C)(1)(f), relative to disclosure of records; to provide for the disclosure
3 of records or issuance of certificates to an agent for the surety of a person who is the
4 party to a criminal bail bond; to provide relative to proper documentation; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:41(C)(1)(f) is hereby enacted to read as follows:

8 §41. Disclosure of records

9 * * *

10 C.(1) The state registrar shall not permit inspection of the records or issue
11 a certificate, or any part thereof, unless he is satisfied that the applicant is any of the
12 following:

13 * * *

14 (f) An agent for the surety of the person named in the certificate when the
15 person named in the certificate is a party to a criminal bail bond. Proper
16 documentation, including a copy of the power of attorney, shall be required by the
17 agent for the surety requesting the certificate.

18 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 478 Original

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Fontenot

Abstract: Provides for the disclosure of records or issuance of certificates to an agent for the surety of a person who is a party to a criminal bail bond.

Present law provides that the state registrar shall not permit the inspection of records or issue a certificate, or any part thereof, unless he is satisfied that the applicant is any of the following:

- (a) The person named in the certificate.
- (b) A member of the immediate or surviving family of the person named in the certificate.
- (c) A person named in a court proceeding as a member of the immediate or surviving family of the person named in the certificate.
- (d) The beneficiary of an insurance policy or trust.
- (e) A succession representative.

Proposed law retains present law and adds an agent for the surety of the person named in the certificate when the person named in the certificate is a party to a criminal bail bond as an applicant who can inspect records or receive a certificate. Proper documentation, including a copy of the power of attorney, shall be required by the agent for the surety requesting the certificate.

(Adds R.S. 40:41(C)(1)(f))