
The legislative instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Whitney Kauffeld.

CONFERENCE COMMITTEE REPORT DIGEST

SB 396

2022 Regular Session

Morris

Keyword and summary of the bill as proposed by the Conference Committee

CRIMINAL PROCEDURE. Provides relative to a surety's bail obligation after the issuance of a notice of warrant of arrest. (8/1/22)

Report rejects House amendments which would have:

1. Clarified that the discharge of the bail obligation for a surety ceases upon conviction in any case, at any time prior to the defendant's failure to appear under operation of law.

Report amends the bill to:

1. Provide that proposed law does not prejudice the prosecutor's ability to obtain a judgment of bond forfeiture after 180 days following execution of the certificate that notice of warrant for arrest sent pursuant to present law without the need to file a motion or other pleading.
2. Clarify that discharge of the bail obligation under present law is by operation of law without the need of a motion.

Digest of the bill as proposed by the Conference Committee

Present law provides that, upon conviction, a surety's obligation for a bail undertaking is relieved.

Proposed law provides that proposed law does not prejudice the state's right to obtain a judgment of bond forfeiture under present law by operation of law without the need to file a motion or other pleading.

Proposed law otherwise retains present law.

Effective August 1, 2022.

(Amends C.Cr.P. Art. 331(A)(1))