

2024 Regular Session

HOUSE BILL NO. 505

BY REPRESENTATIVE FONTENOT

CRIMINAL/PROCEDURE: Provides relative to electronic bonds

1 AN ACT

2 To enact Code of Criminal Procedure Articles 311(11) and 328(C), relative to electronic  
3 bonds; to provide for definitions; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. Code of Criminal Procedure Articles 311(11) and 328(C) are hereby  
6 enacted to read as follows:

7 Art. 311. Definitions

8 For the purpose of this Title, the following definitions shall apply:

9 \* \* \*

10 (11) Electronic bond is a commercial bail bond contract executed digitally  
11 as security given by a surety to assure a defendant's appearance before the proper  
12 court whenever required.

13 \* \* \*

14 Art. 328. Bail undertaking

15 \* \* \*

16 C.(1) An electronic bond may be executed in a parish where the sheriff has  
17 an electronic bond software in place. Agents may be approved by the sheriff to  
18 execute an electronic bond. A licensed bail bond producer applying for electronic  
19 bond authority may make an application to the sheriff and shall meet the following  
20 criteria to execute an electronic bond:

- 1           (a) Is domiciled in this state and maintains a principal place of business in  
 2           this state.
- 3           (b) Be qualified to write bail bonds.
- 4           (c) Be qualified and possess a Louisiana bail bond producer license for a  
 5           period of not less than three years preceding the date of application.
- 6           (2) The approving sheriff authority may require any documents deemed  
 7           necessary to verify the information contained in the application.

## 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 505 Reengrossed

2024 Regular Session

Fontenot

**Abstract:** Provides relative to electronic bonds and bail undertaking for electronic bonds.

Proposed law (C.Cr.P. Art. 311) defines "electronic bonds".

Proposed law provides that an electronic bond may be executed and the sheriff may approve agents to execute the bond.

Proposed law provides that a licensed bail bond producer applying for electronic bond authority may make an application to the sheriff and shall meet the following criteria to execute an electronic bond:

- (1) Is domiciled in this state and maintains a principal place of business in this state.
- (2) Be qualified to write bail bonds.
- (3) Be qualified and possess a La. bail bond producer license for a period of not less than three years preceding the date of application.

Proposed law provides that the approving sheriff authority may require any documents deemed necessary to verify the information contained in the application.

(Adds C.Cr.P. Art. 311(11) and 328(C))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Remove proposed law that provides that an electronic bond may be executed at the discretion of the sheriff.
2. Authorize, rather than require, the sheriff to approve agents to execute the bond.
3. Authorize, rather than require, a licensed bail bond producer to make an application to the sheriff.

4. Change the period of time that a bail bond producer has to be qualified and possess a La. bail bond producer license preceding the date of application from 10 years to three years.
5. Clarify that one of the criteria that a licensed bail bond producer shall meet to execute an electronic bond is to be domiciled and maintain a principal place of business, rather than reside or maintain a principal place of business, in this state.