

2024 Regular Session

HOUSE RESOLUTION NO. 191

BY REPRESENTATIVE BAYHAM

BAIL: Requests the La. State Law Institute to study the feasibility of statewide bail schedules

1 A RESOLUTION

2 To urge and request the Louisiana State Law Institute to study and provide
3 recommendations relative to the feasibility of statewide bail schedules and to submit
4 a report of its findings and recommendations to the legislature no later than thirty
5 days before the convening of the 2025 Regular Session.

6 WHEREAS, Article I, Section 18 of the Constitution of Louisiana provides for the
7 right to bail; and

8 WHEREAS, Title VIII of the Code of Criminal Procedure provides the statutory
9 guidelines for bail; and

10 WHEREAS, Code of Criminal Procedure Article 314 provides the following
11 magistrates with the authority to fix bail:

12 (1) District courts and their commissioners having criminal jurisdiction, in all cases.

13 (2) City or parish courts and municipal and traffic courts of New Orleans having
14 criminal jurisdiction, in noncapital cases.

15 (3) Mayor's courts and traffic courts in criminal cases within their trial jurisdiction.

16 (4) Juvenile and family courts in criminal cases within their trial jurisdiction.

17 (5) Justices of the peace in cases not capital or necessarily punishable at hard labor;

18 and

19 WHEREAS, Code of Criminal Procedure Article 315 provides that in noncapital
20 felony cases, a bail schedule according to the offense charged may be fixed by a district
21 court and in misdemeanor cases, a bail schedule according to the offense charged may be

1 fixed by a district, parish, or city court for offenses committed within its trial jurisdiction;
2 and

3 WHEREAS, the development of fixed schedules of bail applicable to all sixty-four
4 parishes provides uniformity relative to bail hearings within this state, regardless of the
5 parish where a criminal offense occurs.

6 THEREFORE, BE IT RESOLVED that the House of Representatives of the
7 Legislature of Louisiana does hereby urge and request the Louisiana State Law Institute to
8 study and provide recommendations relative to the feasibility of statewide bail schedules
9 and to submit a report of its findings and recommendations to the legislature no later than
10 thirty days before the convening of the 2025 Regular Session.

11 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
12 director of the Louisiana State Law Institute.

13 BE IT FURTHER RESOLVED that the Louisiana State Law Institute shall submit
14 one print copy and one electronic copy of any report produced pursuant to this Resolution
15 to the David R. Poynter Legislative Research Library as required by R.S. 24:772.

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)]

HR 191 Original

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