

RÉSUMÉ DIGEST

ACT 222 (HB 497)

2024 Regular Session

Fontenot

Existing law provides the instances when a constructive surrender occurs.

Prior law provided that a constructive surrender occurred when a surety had paid reasonable or actual costs pursuant to existing law for the return of the defendant to the jurisdiction where the arrest warrant had been issued.

New law provides that a surety's agreement to pay is a constructive surrender as opposed to the actual payment of reasonable or actual costs of returning the defendant.

New law provides that if the surety fails to pay a set amount of the reasonable or actual costs, the recovery shall be through a summary proceeding against both the principal and the surety, as provided in existing law (C.C.P. Art. 2592(4)).

Effective August 1, 2024.

(Amends C.Cr.P. Art. 311(4)(c))