
DIGEST

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SB 87 Reengrossed

2025 Regular Session

Barrow

Present law (C.Cr.P. Art. 326) provides relative to cash deposits.

Proposed law retains present law generally.

Present law (C.Cr.P. Art. 326(B)) provides for distribution of money, checks, bonds, or money orders upon final disposition of the case and provides for duties of the clerk.

Proposed law amends present law to provide that an additional duty of the clerk is to send a notice by certified mail to any cash depositor, if any, provided that the clerk has received the information necessary for service.

Proposed law defines the term "cash depositor".

Present law (C.Cr.P. Art. 330) provides for notice of the defendant's required appearance.

Proposed law amends present law to include a cash depositor as an individual who is to be provided notice.

Present law (C.Cr.P. Art. 334) provides for notice of warrant or arrest.

Present law further provides that failure to send notice to the commercial surety within 60 days shall release a commercial surety of all obligations under the bail undertaking.

Proposed law amends present law to include a cash depositor and personal surety as individuals who are able to be released from all obligations under the bail undertaking when there is a failure to send notice.

Effective August 1, 2025.

(Amends C.Cr.P. Arts. 326(B), 330(A)-(C), (D)(intro. para.), and (E); Adds C.Cr.P. Art. 326(F))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary C to the original bill

1. Provide that the clerk of court will be required to send notices to persons specified in proposed law only if the clerk of court has the necessary service information.

Senate Floor Amendments to engrossed bill

1. Provide that the clerk of court will only send present law notice to persons that provide service information in accordance with other present law.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the reengrossed bill:

1. Make technical changes.
2. Relative to cash deposits, add that the clerk shall also send a notice by certified mail to any cash depositor, if any, provided that the clerk has received the information necessary for service.
3. Define the term "cash depositor".
5. Relative to notice of the defendant's required appearance, add a cash depositor as an individual who is to be provided notice.
5. Relative to notice of warrant for arrest, include a cash depositor and personal surety as individuals who are able to be released from all obligations under the bail undertaking when there is a failure to send notice.