

RÉSUMÉ DIGEST

ACT 672 (HB 772)

2026 Regular Session

Martinez

Existing law (C.Cr.P. Art. 329) provides for the declaration of a residential address for the purpose of sending the defendant and certain entities a notice of the defendant's obligation to appear before the court.

New law changes "residence" to "address for service" and restructures the provisions of existing law.

New law requires the placement of a valid mailing address and email address for a party to receive the notice provided in accordance with existing law (C.Cr.P. Art. 333).

New law prohibits the denial or setting aside of a bond forfeiture judgment because of the invalidity of the information provided by the defendant, personal surety, commercial surety, or agent or bondsman, or for the failure to include the required information.

New law permits a defendant and personal surety to provide his mailing address along with the last four digits of his social security number, rather than inputting his address underneath his respective signature.

New law requires that the commercial surety's valid mailing address and email address are placed on the appearance bond.

New law requires the agent or bondsman posting the bail undertaking to place his proper mailing address on the appearance bond, rather than place his proper mailing address under his signature.

Existing law (C.Cr.P. Art. 333) provides relative to the failure of a defendant to appear and the issuance of an arrest warrant for such failure.

New law adds the provisions of prior law (C.Cr.P. Art. 334), relative to notice of a warrant for arrest, within the provisions of existing law (C.Cr.P. Art. 333) with the following changes:

- (1) Requires the clerk of court to send a notice of the warrant for arrest to the prosecuting attorney and to the defendant and personal surety, if any, by U.S. mail or electronic means.
- (2) Requires that the notice of the warrant for arrest be delivered to the bail agent and the commercial surety through electronic means or certified mail, return receipt requested, within 60 days of the defendant's failure to appear.
- (3) Requires that the notice of the warrant for arrest be sent by U.S. mail or electronic means to certain individuals.
- (4) Adds a bail agent as a recipient of the notice of a warrant for arrest that includes the power of attorney number used to execute the bail undertaking.
- (5) Requires the clerk to place in the record either the proof of certified mailing or confirmation of electronic service.
- (6) Provides that the failure to send notice of the bench warrant within 60 days of the defendant's failure to appear releases the surety of all obligations under the bail undertaking.
- (7) Restructures the provisions of existing law.

Existing law (C.Cr.P. Art. 335) provides for a rule to show cause to obtain a judgment of bond forfeiture.

New law restructures the provisions of existing law and provides a deadline of Aug. 1, 2028, to file a rule to show cause for warrants issued prior to Aug. 1, 2024. Further provides that the new law deadline is the exclusive prescriptive and preemptive period applicable to the filing of a rule to show cause to obtain a judgment of bond forfeiture.

Prior law (C.Cr.P. Art. 334) provided for notice of warrant for arrest.

New law repeals prior law.

New law further amends provisions of the C.Cr.P. and Title 15 of the La. R.S. of 1950 to remove any cross-references to prior law.

Effective August 1, 2026.

(Amends C.Cr.P. Arts. 329(A), 331(A)(1), 333, 335, and 336(A)(3) and R.S. 15:574.15(A)(1); Repeals C.Cr.P. Art. 334)