Regular Session, 2013

HOUSE BILL NO. 512

BY REPRESENTATIVE MORENO

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1   AN ACT

2   To enact Code of Criminal Procedure Article 579(C), relative to time limitations for

3   criminal trials; to provide relative to the time limitations for the commencement of

4   a criminal trial; to provide relative to the interruption of time limitations for the

5   commencement of a criminal trial; to provide for definitions; and to provide for

6   related matters.

7   Be it enacted by the Legislature of Louisiana:

8   Section 1. Code of Criminal Procedure Article 579(C) is hereby enacted to read as

9   follows:

10   Art. 579. Interruption of time limitation

11   *   *   *

12   C. If the defendant fails to appear in court pursuant to any provision of this

13   Article and the defendant is subsequently arrested, the periods of limitations

14   established by Article 578 of this Code shall not commence to run anew until the

15   defendant appears in person in open court where the case on the original charge is

16   pending, or the district attorney prosecuting the original charge has notice of the

17   defendant's custodial location. For purposes of this Paragraph, "notice" shall mean

18   either of the following:

19   (1) Filing in the court record by either the defendant or his counsel advising

20   the court of his incarceration with a copy provided to the district attorney and

21   certification of notice provided to the district attorney.

1   (2) Following the seventy-two hour hearing provided by Article 230.1 of this

2   Code, actual notice of arrest is provided to the district attorney and filed in the record

3   of the proceeding of which the warrant against the defendant was issued.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored
are additions.