

CONFERENCE COMMITTEE REPORT

SB 123

2016 Regular Session

Claitor

June 3, 2016

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill No. 123 by Senator Claitor, recommend the following concerning the Reengrossed bill:

- 1. That House Committee Amendments Nos. 1 through 15 proposed by the House Committee on Administration of Criminal Justice and adopted by the House on May 12, 2016, be adopted.
- 2. That Legislative Bureau Amendments Nos. 1 and 2 proposed by the House Legislative Bureau and adopted by the House on May 12, 2016, be adopted.
- 3. That House Floor Amendments Nos. 1 and 2 proposed by Representative Mack and adopted by the House on May 18, 2016, be adopted.
- 4. That House Floor Amendment No. 1 proposed by Representative Mack and adopted by the House on May 18, 2016, be rejected.
- 5. That the following amendments to the Reengrossed bill be adopted:

AMENDMENT NO. 1

On page 43, line 20, delete "**certified mail**" and insert "**by certified mail return receipt requested**"

Respectfully submitted,

Senators:

Representatives:

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Senator Dan Claitor

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Representative Sherman Mack

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Senator Jonathan Perry

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Representative Ray Garofalo

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Senator Mack "Bodi" White, Jr.

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Representative Valarie Hodges

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The legislative instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Alden A. Clement, Jr..

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**CONFERENCE COMMITTEE REPORT DIGEST**

**SB 123**

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**Keyword and summary of the bill as proposed by the Conference Committee**

CRIMINAL PROCEDURE. Revises and reorganizes Code of Criminal Procedure articles and Revised Statutes relative to bail. (1/1/17)

**Report adopts House amendments to:**

1. Make technical changes.

**Report rejects House amendments which would have:**

1. Changed means by which notice of a warrant of arrest is sent to a commercial surety from certified mail to regular U.S. mail.

**Report amends the bill to:**

1. Change means by which notice of a warrant of arrest is sent to a commercial surety from certified mail to certified mail return receipt requested.

**Digest of the bill as proposed by the Conference Committee**

Present law (C.Cr.P. Arts. 311 through 349.9) provides for Title VIII of the Code of Criminal Procedure with respect to bail.

Proposed law (C.Cr.P. Arts. 311 through 342) provides for a revision and reorganization of present law.

Present law (R.S. 15:85) provides relative to the failure to satisfy a judgment of bond forfeiture.

Proposed law provides for revisions with respect to failure to appear, including notice of a warrant of arrest to be sent to a commercial surety by electronic means or certified mail return receipt requested, surrender of the defendant, and the time delays for taking a suspensive appeal, as well as technical corrections to present law based on the proposed law reorganization of Title VIII of the Code of Criminal Procedure.

Present law (R.S. 22:1441) provides relative to the failure to timely satisfy a claim under a criminal bond contract.

Proposed law provides for revisions to present law with respect to failure to appear, the time delays for taking a suspensive appeal, and surrender of the defendant, as well as technical corrections to present law based on the proposed law reorganization of Title VIII of the Code of Criminal Procedure.

Effective January 1, 2017.

(Amends C.Cr.P. Arts. 311-342, R.S. 15:85, R.S. 22:1441(A)(intro. para.) and (A)(1) through (5), (C)(1), (C)(2)(intro. para.) and (C)(2)(a) through (e), and (D); adds R.S. 22:1441(C)(3) through (5); repeals C.Cr.P. Arts. 327.1, 330.1, 330.2, 330.3, 334.1, 334.2, 334.3, 334.4, 334.5, 334.6, 335.1, 335.2, 336.1, 336.2, 343, 344, 345, 346, 347, 348, 349, 349.1, 349.2, 349.3, 349.4, 349.5, 349.6, 349.7, 349.8, and 349.9)