

2017 Regular Session

HOUSE BILL NO. 332

BY REPRESENTATIVE TERRY BROWN

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

CRIMINAL/PROCEDURE: Provides relative to service of a notice of warrant for arrest when a defendant fails to appear in court

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Articles 334 and 336(A)(3) and to enact  
3 Code of Criminal Procedure Article 329(F), relative to the bail undertaking; to  
4 provide with respect to notice of a warrant for arrest; to provide for duties of the  
5 clerk; to provide relative to applicability; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Code of Criminal Procedure Articles 334 and 336(A)(3) are hereby  
8 amended and reenacted and Code of Criminal Procedure Article 329(F) is hereby enacted  
9 to read as follows:

10 Art. 329. Declaration of residence; waiver of notice

11 \* \* \*

12 F. The clerk shall comply with the requirements for notice of warrant for  
13 arrest under the provisions of Article 334 if the proper mailing address and electronic  
14 address for the commercial surety is filed in the record.

15 \* \* \*

16 Art. 334. Notice of warrant ~~of~~ for arrest

17 A. After a warrant for arrest is issued and the warrant has not been recalled,  
18 the clerk of court shall, within sixty days, send a notice of warrant for arrest to the  
19 prosecuting attorney. ~~The notice shall also be sent by United States mail or~~  
20 ~~electronic means to the defendant, the bail agent or bondsman, if any, and the~~



Present law provides that after a warrant for arrest is issued, the clerk of court has 60 days to send a notice of warrant for arrest to the prosecuting attorney, the defendant, the bail agent or bondsman, if any, and the personal surety.

Proposed law removes requirement that notice be sent to the defendant, bail agent or bondsman, and the personal surety.

Proposed law also provides that the notice of warrant for arrest provisions do not apply to motor vehicle violations.

(Amends C.Cr.P. Arts. 334 and 336(A)(3); Adds C.Cr.P. Art. 329(F))