

requirements for bail bond producers as provided in present law.

Proposed law provides that before transacting the surrender or arrest of a principal, the bail enforcement agent must notify law enforcement in the jurisdiction where the principal is sought, unless exigent circumstances exist.

Proposed law provides that a bail enforcement agent must wear identifying clothing before transacting the surrender or arrest of a principal in a private residence.

Proposed law provides that a bail enforcement agent carrying a firearm must be qualified annually in the use of firearms by the Council on Peace Officer Standards and Training and have proof of qualification.

Proposed law provides that a bail enforcement agent cannot pay a fee or rebate, or give or promise anything of value, to a jailer, police officer, peace officer, attorney, committing magistrate, or any other person who has power to arrest or hold in custody, or to any public official or public employee, in order to secure the arrest or detention of a person. Proposed law provides that any person who violates this provision of proposed law is to be imprisoned, with or without hard labor, for up to five years, or fined up to \$10,000, or both, and in addition, the person must forfeit and surrender to the attorney general their license to act as a bail enforcement agent upon finality of the conviction, and is ineligible for life from obtaining a license to act as a bail enforcement agent in this state.

Present law provides that a bail surety may surrender the defendant at any time, and that for the purpose of surrendering the defendant, the surety may arrest him.

Proposed law retains present law, and adds that if the defendant contracts with or otherwise engages or employs a bail enforcement agent to make the arrest, the bail enforcement agent must be in compliance with the provisions of proposed law relative to bail enforcement agents.

Present law provides that the commissioner of insurance may determine in the exercise of his discretion that a prohibited act committed by a licensed bail enforcement agent contracted with a bail bond agency or producer may not serve as the sole basis for the suspension or revocation of the agency's or producer's license, or the imposition of a fine on the bail bond agency or producer pursuant present law, absent a finding by the Dept. of Insurance that the bail bond agency or producer had actual or constructive knowledge of, or participated in, the prohibited act.

Proposed law retains present law.

Effective August 1, 2019.

(Amends C.Cr.P. Art. 312(B)(intro para) and 331(C) and R.S. 22:1581-1583; adds R.S. 15:91-96; repeals R.S. 22:1584-1586)