
HOUSE COMMITTEE AMENDMENTS

2022 Regular Session

Amendments proposed by House Committee on Administration of Criminal Justice to
Original House Bill No. 129 by Representative Nelson

1 AMENDMENT NO. 1

2 On page 1, line 2, change "R.S. 32:391(B) and (C) and to repeal R.S. 32:57.1," to "R.S.
3 32:57.1(A) and (B) and to enact R.S. 32:57.1(D),"

4 AMENDMENT NO. 2

5 On page 1, delete lines 3 through 8 in their entirety and insert the following:

6 "failure to honor a written promise to appear; to provide relative to notification to the
7 arrested person by the Department of Public Safety and Corrections; to provide
8 relative to the suspension of an operator's license of an arrested person; to provide
9 relative to the payment of fines; to provide relative to payment for suspension when
10 incarcerated; and to provide for related matters."

11 AMENDMENT NO. 3

12 On page 1, line 10, after "Section 1." delete the remainder of the line and insert "R.S.
13 32:57.1(A) and (B) are hereby amended and reenacted and R.S. 32:57.1(D) is hereby enacted
14 to read as follows:"

15 AMENDMENT NO. 4

16 On page 1, delete lines 12 through 20 in their entirety and on page 2, delete lines 1 through
17 17 in their entirety and insert the following:

18 "§57.1. Failure to honor written promise to appear; penalty; disposition of fines
19 A. Whenever an arrested person who was released on his written promise to
20 appear before a magistrate at the place and time specified in a summons described
21 in R.S. 32:391(B) fails to honor his written promise to appear, the magistrate or
22 judge of the court exercising jurisdiction may immediately forward to the
23 Department of Public Safety and Corrections notice of the failure to appear, with
24 information necessary for identification of the arrested person. Thereupon, unless
25 the original charges have been disposed of, the Department of Public Safety and
26 Corrections shall immediately notify the arrested person ~~of suspension of his~~
27 ~~operator's license and the imposition of a fifty-dollar fee, regardless of the~~
28 ~~disposition of the original charge. The Department of Public Safety and Corrections~~
29 ~~likewise shall inform the arrested person by certified mail return receipt requested~~
30 ~~that his operator's license cannot be renewed or reissued until the forwarding court~~
31 ~~exercising jurisdiction certifies that he had honored the appearance promise or paid~~
32 ~~an appropriate fine for the offense as determined by the forwarding court exercising~~
33 ~~jurisdiction~~ may be suspended if he fails to honor the written promise to appear or
34 pay an appropriate fine for the offense within one hundred eighty days after the date
35 the notice was received.

36 B. Whenever the arrested person makes an appearance as required by
37 Subsection A hereof or pays an appropriate fine for the offense committed, as
38 determined by the court, the prosecuting authority shall immediately notify the
39 Department of Public Safety and Corrections thereof through the same means as the
40 original notification of the arrested person's failure to appear. Upon such
41 notification, ~~and payment of an additional fifty~~ one hundred dollars to the
42 department, if the operator's license of the arrested person was suspended pursuant
43 to Subsection A, the operator's license of the arrested person shall be released from

1 the pending suspension, renewed, or reissued for the purpose of this Section. Twelve
2 dollars and fifty cents of ~~the additional~~ any fine imposed by this Section shall be paid
3 to the court exercising jurisdiction, to be deposited in that court's criminal court fund
4 and to be used in the same manner as the other sums deposited in said fund.

5 * * *

6 D. If the arrested person's failure to appear is the result of incarceration, his
7 operator's license shall be renewed and reissued without payment for any suspension
8 under this Section upon evidence of incarceration pursuant to R.S. 15:714."