

GREEN SHEET REDIGEST

HB 1059

2022 Regular Session

Bacala

BAIL: Provides relative to contradictory bail hearings for certain persons

DIGEST

Present law provides relative to contradictory bail hearings for persons in custody.

Proposed law retains present law and provides that prior to setting bail, a contradictory hearing may be held for a person in custody for a crime of violence who is currently released pursuant to a bail undertaking for a felony crime of violence.

Proposed law further permits the court, after receiving notice, to order the contradictory hearing to be held within five days, exclusive of weekends and legal holidays. If the court chooses not to hold hearing, the court must notify prosecutor.

(Adds C.Cr.P. Art. 313(E))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Remove proposed law which provides relative to contradictory hearings prior to setting bail for a person in custody for a crime of violence who has a previous conviction for a felony crime of violence and for a person who is currently released pursuant to a bail undertaking after a conviction for a felony crime of violence.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary C to the reengrossed bill

1. Change nature of hearing from mandatory to judicial discretion.
2. Require court to give notice if no contradictory hearing is held.