

HOUSE COMMITTEE AMENDMENTS

2025 Regular Session

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 87 by Senator Barrow

AMENDMENT NO. 1

On page 1, line 2, after "Procedure" and before "relative" change "Art. 334," to "Article 326(B) and to enact Code of Criminal Procedure Article 326(F),"

AMENDMENT NO. 2

On page 1, delete lines 3 through 5 in their entirety and insert "relative to cash deposits; to provide relative to a cash depositor as a surety; to provide relative to notice; and to provide for related matters."

AMENDMENT NO. 3

On page 1, line 7, after "Procedure" delete the remainder of the line and insert "Article 326(B) is hereby amended and reenacted and Code of Criminal Procedure Article 326(F) is hereby enacted to"

AMENDMENT NO. 4

On page 1, delete lines 9 through 17 in their entirety and delete page 2 in its entirety and insert the following:

"Art. 326. Cash deposits

* * *

B. Upon final disposition of all cases in which a deposit of money, checks, bonds, or money orders has been made pursuant to this Article, and the deposits have remained unclaimed for a period of one year from the date of the final disposition, the officer authorized to accept the bail shall apply and use one-half of such funds for the operation and maintenance of the office of the clerk of court, or the office of the clerk of the criminal district court, or the office of the clerk of the criminal district court in Orleans Parish, and one-half to the local governing authority after advertising his intention to so utilize the funds by publication in the official parish journal of a notice to the public containing an itemized list of all of such funds on deposit, containing the names and last known addresses of defendants and the docket numbers of the cases involved. The publication shall be made once within thirty days after the final disposition of the case as aforesaid. The clerk shall also send a notice by certified mail to each of such defendants at the last known address of the defendant. **The clerk shall also send a notice by certified mail to any cash depositor, if any, provided that the clerk has received the information necessary for service.** Any interest earned on the funds deposited for bail shall be disbursed as provided in Paragraph E of this Article.

* * *

F. For purposes of this Article, "cash depositor" means any entity who, on behalf of the defendant, furnishes a bail undertaking pursuant to Paragraph A of this Article in lieu of a surety. Nothing in this Article shall be construed to establish a cash depositor as a surety in a bail undertaking.