

SENATE BILL NO. 180

BY SENATOR HEITMEIER

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

AN ACT

To amend and reenact R.S. 15:86.1, relative to unclaimed cash bail bonds being deposited in Plaquemines Parish; to provide relative to the liability for such bonds; to provide for the return to the owner of an unclaimed cash bail bond; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:86.1 is hereby amended and reenacted to read as follows:

§86.1. Unclaimed bail bonds; disposition; return to owner

A. Notwithstanding any other provision of law to the contrary, any sheriff having possession or control of cash bail bonds which have been discharged and which remain unclaimed for more than three years, or which belong to an owner who is unknown or who has not been heard from for more than three years, shall deposit the same into the general fund of the sheriff, and thereafter the sheriff shall assume liability therefor. However, in the parishes of Caddo, ~~Plaquemines~~, East Baton Rouge, Bossier, and St. Mary, the sheriff shall pay such funds to the treasurer of the governing authority, who shall collect and receive this money and deposit it to the credit of the general fund, and thereafter the sheriff shall be relieved of all liability therefor.

B. Any owner who claims a cash bail bond which has been deposited in the general fund of the sheriff or, in Caddo, ~~Plaquemines~~, East Baton Rouge, Bossier, and St. Mary Parishes, in the governing authority's general fund, pursuant to this Section shall be reimbursed from the sheriff's general fund or said governing authority's general fund upon establishing his claim thereto by a judgment of a court of competent jurisdiction. Upon being presented with a certified copy of the judgment, the sheriff or, in Caddo, ~~Plaquemines~~, East Baton Rouge, Bossier, and St.

1 Mary Parishes, the treasurer, shall draw a warrant and pay out of the general fund of
2 the sheriff or, in Caddo, ~~Plaquemines~~, East Baton Rouge, Bossier, and St. Mary
3 Parishes, the general fund of the governing authority, the amount of the judgment.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____