

**Johnson (HB 297)**

**Act No. 261**

Existing law provides that any defendant who has been arrested for certain crimes shall not be released by the court on his own recognizance or on the signature of any other person.

New law retains existing law and further provides for a rebuttable presumption that any defendant who has previously been released on his own recognizance or on the signature of any other person on a felony charge, who has either been arrested for a new felony offense or has at any time failed to appear in court on a felony offense after having been notified in open court, shall not again be released by the court on the defendant's own recognizance or on the signature of any other person.

New law provides for the presumption to be overcome if the judge determines after a contradictory hearing in open court that a review of the relevant factors warrants the release. Requires the hearing to take place within 30 days of the defendant's release.

New law provides that any nonprofit organization which is contracted, employed, or which receives public funds to perform or provide pretrial services, such as screening of any defendant, shall verify all background information provided by a defendant or otherwise obtained by the organization regarding the defendant.

Effective August 1, 2013.

(Amends C.Cr.P. Art. 334.4; Adds C.Cr.P. Art. 334.6)