
DIGEST

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HB 1018 Original

2016 Regular Session

Gregory Miller

Abstract: Prohibits a justice of the peace from issuing a warrant for the arrest of a person for the commission of a felony unless the affiant certifies to the justice of the peace that no city, parish, or district court judge is available to issue the warrant.

Present law authorizes a justice of the peace to issue certain warrants for arrest if he has received a certificate of completion from the Attorney General's Arrest Warrants Course for Justices of the Peace.

Present law prohibits justices of the peace from issuing warrants for the arrest of certain persons in the following situations:

- (1) A peace officer for acts performed while in the course and scope of his official duties.
- (2) An administrator of any public or private elementary, secondary, high school, vocational-technical school, college, university, or licensed child day care center in this state or a teacher in any public or private elementary, secondary, high school, vocational-technical school, college, or university in this state who is acting in the course and scope of his official duties, unless an independent investigation into the allegations has been conducted and the investigator's findings support the allegations contained in the affidavit required by present law.

Proposed law retains present law and prohibits a justice of the peace from issuing a warrant for the arrest of a person for the commission of a felony unless the affiant certifies to the justice of the peace that no city, parish, or district court judge is available to issue the warrant.

(Adds C.Cr.P. Art. 202(B)(3))