

Regular Session, 2013

HOUSE BILL NO. 266

BY REPRESENTATIVE THIERRY

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

JUDGMENTS/CRIMINAL: Provides procedures for use of electronic mail to send notice of bond forfeiture

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 349.3(A), relative to notice of
3 bond forfeiture; to authorize the use of electronic mail to send the notice of judgment
4 of bond forfeiture; to require the agreement of all parties to use electronic mail to
5 provide such notice; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Code of Criminal Procedure Article 349.3(A) is hereby amended and
8 reenacted to read as follows:

9 Art. 349.3. Notice of judgment

10 A.(1) After entering the fact of the signing of the judgment of bond forfeiture
11 in the court minutes, the clerk of court shall promptly mail notice of the signing of
12 the judgment of bond forfeiture. The notice of the signing of the judgment shall be
13 mailed by United States certified mail with return receipt affixed thereto or by
14 electronic mail as provided for in Subparagraph (2) of this Paragraph. The notice
15 shall be mailed to the defendant, the personal surety, the agent, or bondsman who
16 posted the bond for the commercial surety, and the commercial surety at the
17 addresses designated in Article 322, or an address registered with the ~~Louisiana~~
18 Department of Insurance. Notice to the commercial surety shall include the power
19 of attorney number used to execute the bond without which the bond obligation of
20 the commercial surety shall be suspended until the power of attorney number is

clerk is in possession of a valid e-mail address provided by the defendant, the personal surety, the agent, or the bondsman.

(Amends C.Cr.P. Art. 349.3(A))