

Regular Session, 2012

HOUSE BILL NO. 398

BY REPRESENTATIVE LAMBERT

BONDS/BAIL: Authorizes Ascension, Assumption, and St. James parishes to alter the bail percentage amounts for deposit

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 324(A)(3), relative to cash
3 deposits for bail; to authorize the parishes of Ascension, Assumption, and St. James
4 to alter the percentage amount for bail deposits; to authorize each parish to charge
5 a limited administrative fee; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Code of Criminal Procedure Article 324(A)(3) is hereby amended and
8 reenacted to read as follows:

9 Art. 324. Cash deposits

10 A.

11 * * *

12 (3) The court in the parishes of Ascension, Assumption, St. John the Baptist,
13 ~~and St. Charles,~~ and St. James, by written rule, may alter the percentage amount of
14 bail to be deposited with the officer authorized to accept the bond and authorize the
15 officer to charge an administrative fee, not to exceed fifteen dollars, for processing
16 the bond.

17 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Lambert

HB No. 398

Abstract: Authorizes the parishes of Ascension, Assumption, and St. James to alter the percentage amount of bail to be deposited by a defendant in lieu of a surety.

Present law authorizes a defendant to furnish his personal undertaking secured by a deposit in lieu of a surety.

Present law provides that the deposit may be in the form of cash, certified or cashier's check, bonds of the U.S. government, bonds of the state of La. or any political subdivision of the state, or a U.S. postal money order, all of which must be negotiable by delivery or drawn on any state or national bank.

Present law authorizes the parishes of St. John the Baptist and St. Charles to alter the percentage amount of bail for deposit and authorizes the officer accepting the bond to charge an administrative fee not to exceed \$15 for processing the bond.

Proposed law retains present law and extends the authorization to the parishes of Ascension, Assumption, and St. James.

(Amends C.Cr.P. Art. 324(A)(3))