

2019 Regular Session

SENATE BILL NO. 108

BY SENATOR GARY SMITH

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

BONDS. Provides relative to criminal bail bonds. (8/1/19)

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AN ACT

To amend and reenact R.S. 22:1443, relative to the premium on criminal bail bonds; to provide for an exception to the premium charge allowed on criminal bail bonds in certain parishes; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1443 is hereby amended and reenacted to read as follows:

§1443. Premium on criminal bail bond

A. The premium rate set for commercial surety underwriters writing criminal bail bonds in the various courts throughout the state of Louisiana shall not be subject to the rates set by the insurance commissioner, but shall be set and adjusted by the legislature. ~~The~~ **Except as provided in Subsection B of this Section, the** rate for all commercial surety underwriters writing criminal bail bonds in the state of Louisiana shall be twelve percent of the face amount of the bond; or one hundred twenty dollars, whichever is greater. Any additional fee authorized by R.S. 13:718(I)(2) shall not be included in this premium rate and shall be exclusive of the limit set by this Section. All other provisions of the code relating to enforcement of the rate shall be effective and enforced in accordance with all parts of this Section.

1 **B. In any parish having a population of more than three hundred**
2 **thousand and fewer than four hundred thousand persons according to the latest**
3 **federal decennial census, the rate for all commercial surety underwriters**
4 **writing criminal bail bonds shall be thirteen percent of the face amount of the**
5 **bond or one hundred thirty dollars, whichever is greater.**

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by LG Sullivan.

	DIGEST	
SB 108 Original	2019 Regular Session	Gary Smith

Present law provides the premium rate set for commercial surety underwriters writing criminal bail bonds in the various courts throughout the state is 12% of the face amount of the bond, or \$120, whichever is greater.

Proposed law retains present law and provides for an exception to the premium rate set in present law for any parish with a population between 300,000 and 400,000 persons according to the latest decennial census. Provides that the premium rate in such a parish shall be the greater of 13% of the face amount of the bond or \$130.

Effective August 1, 2019.

(Amends R.S. 22:1443)