

<b>FOR OFFICE USE ONLY</b>	

**HOUSE FLOOR AMENDMENTS**

2019 Regular Session

Amendments proposed by Representative Seabaugh to Engrossed Senate Bill No. 108 by Senator Gary Smith

1 AMENDMENT NO. 1

2 On page 1, line 2, delete "R.S. 22:1443" and insert in lieu thereof "R.S. 22:822(A) and to  
3 repeal R.S. 22:822(B)(3)"

4 AMENDMENT NO. 2

5 On page 1, line 6, change "R.S. 22:1443" to "R.S. 22:822(A)"

6 AMENDMENT NO. 3

7 On page 1, delete lines 7 through 17 in their entirety and delete page 2 in its entirety and  
8 insert in lieu thereof:

9           "§822. Criminal bail bond annual license fee

10                 A. There shall be a fee on premiums for all commercial  
11 surety underwriters who write criminal bail bonds in the state of  
12 Louisiana, as follows:

13                 (1) ~~Except in the parish of Orleans,~~ The fee shall be equal to  
14 two dollars for each one hundred dollars worth of liability  
15 underwritten by the commercial surety. Except as authorized under  
16 the provisions of R.S. 13:718(I)(2), this shall be the exclusive fee or  
17 tax on any criminal bail bond premium, including thereto premium  
18 taxes owed. In furtherance of the payment of this premium fee all  
19 commercial surety underwriters underwriting criminal bail bonds in  
20 the state of Louisiana shall, upon submitting the appearance bond and  
21 their power of attorney, simultaneously pay to the sheriff of the  
22 parish, ~~except in the parish of Orleans,~~ a fee of two dollars for each  
23 one hundred dollars worth of liability on the bail bond being  
24 presented for the release of a person on bail. Failure to pay the fee  
25 shall prevent the sheriff from accepting the appearance bond and  
26 power of attorney. The sheriff may receive the fee by check or cash  
27 and shall only accept it from the surety or the agent of the surety. In  
28 the event a surety or agent of the surety presents payment of the fee  
29 by an instrument which is returned for insufficient funds, the agent  
30 or the agent of the surety shall be prevented from presenting the  
31 appearance bonds with their power of attorney attached until the  
32 outstanding fees are paid to the sheriff.

33                 (2) ~~In the parish of Orleans, the fee shall be equal to three~~  
34 ~~dollars for each one hundred dollars worth of liability underwritten~~  
35 ~~by the commercial surety. This shall be the exclusive fee or tax on~~  
36 ~~any criminal bail bond premium, including thereto premium taxes~~  
37 ~~owed. In furtherance of the payment of this premium fee, all~~  
38 ~~commercial surety underwriters underwriting criminal bail bonds in~~  
39 ~~the parish of Orleans shall, upon submitting the appearance bond and~~  
40 ~~their power of attorney, simultaneously pay to the sheriff a fee of~~  
41 ~~three dollars for each one hundred dollars worth of liability on the~~

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17

~~bail bond being presented for the release of a person on bail. Failure to pay the fee shall prevent the sheriff from accepting the appearance bond and power of attorney. The sheriff may receive the fee by check or cash and shall accept only it from the surety or the agent of the surety. In the event a surety or agent of the surety presents payment of the fee by an instrument which is returned for insufficient funds, the agent or the agent of the surety shall be prevented from presenting the appearance bonds with their power of attorney attached until the outstanding fees are paid to the sheriff.~~ **In any parish having a population of more than three hundred thousand and fewer than four hundred thousand persons according to the latest federal decennial census, to the extent an additional one percent has been collected under color of the provisions of Act 350 of the 2005 Regular Session, no repayment of overcollections as determined by the commissioner shall be required.**

\* \* \*

Section 2. R.S. 22:822(B)(3) is hereby repealed in its entirety."