
DIGEST

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HB 871 Reengrossed

2022 Regular Session

Marcelle

Abstract: Authorizes a judge to forward a failure to appear after 60 days to the Dept. of Public Safety and Corrections and waives reinstatement fees and fines upon resolution of a suspension for a failure to honor a written promise to appear.

Present law authorizes the magistrate or judge of the court exercising jurisdiction to immediately forward a notice of the failure to appear to the Dept. of Public Safety and Corrections (DPS&C) with information necessary for identification of the arrested person whenever an arrested person released on his written promise to appear before a magistrate as specified in a summons fails to appear.

Proposed law changes the time period authorizing a magistrate or judge to forward the notice of the failure to appear from immediately upon the failure to appear to after 60 days has lapsed from the failure to appear.

Present law requires the DPS&C to immediately notify the arrested person of the suspension of his operator's license and impose a \$50 fee, regardless of the disposition of the original charge. Present law requires the DPS&C to inform the arrested person that his operator's license cannot be renewed or reissued until the forwarding court exercising jurisdiction certifies he honored the appearance or paid an appropriate fine for the offense as determined by the forwarding court exercising jurisdiction.

Present law requires the prosecuting authority to immediately notify the DPS&C whenever the arrested person makes an appearance as required by present law or pays the appropriate fine for the offense committed. Present law requires the operator's license of the arrested person to be renewed or reissued upon notification and payment of an additional \$50 to the department.

Proposed law waives the payment of any previously imposed reinstatement fees or fines provided in present law for anyone who resolves a previous suspension for a failure to honor a written promise to appear under the provisions of present law with the court exercising jurisdiction and provides corresponding proof to the DPS&C.

(Amends R.S. 32:57.1(A) and (B); Adds R.S. 32:57.1(D))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill:

1. Make a technical change.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Change the time period authorizing a magistrate or judge to forward the notice of the failure to appear from immediately after the failure to appear to after 60 days has lapsed from the failure to appear.