

SENATE BILL NO. 180

BY SENATOR HEITMEIER

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

1 AN ACT

2 To amend and reenact R.S. 15:86.1, relative to unclaimed cash bail bonds being deposited
3 in Plaquemines Parish; to provide relative to the liability for such bonds; to provide
4 for the return to the owner of an unclaimed cash bail bond; and to provide for related
5 matters.

6 Notice of intention to introduce this Act has been published.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 15:86.1 is hereby amended and reenacted to read as follows:

9 §86.1. Unclaimed bail bonds; disposition; return to owner

10 A. Notwithstanding any other provision of law to the contrary, any sheriff
11 having possession or control of cash bail bonds which have been discharged and
12 which remain unclaimed for more than three years, or which belong to an owner who
13 is unknown or who has not been heard from for more than three years, shall deposit
14 the same into the general fund of the sheriff, and thereafter the sheriff shall assume
15 liability therefor. However, in the parishes of Caddo, ~~Plaquemines~~, East Baton
16 Rouge, Bossier, and St. Mary, the sheriff shall pay such funds to the treasurer of the
17 governing authority, who shall collect and receive this money and deposit it to the
18 credit of the general fund, and thereafter the sheriff shall be relieved of all liability
19 therefor.

20 B. Any owner who claims a cash bail bond which has been deposited in the
21 general fund of the sheriff or, in Caddo, ~~Plaquemines~~, East Baton Rouge, Bossier,
22 and St. Mary Parishes, in the governing authority's general fund, pursuant to this
23 Section shall be reimbursed from the sheriff's general fund or said governing
24 authority's general fund upon establishing his claim thereto by a judgment of a court
25 of competent jurisdiction. Upon being presented with a certified copy of the
26 judgment, the sheriff or, in Caddo, ~~Plaquemines~~, East Baton Rouge, Bossier, and St.

1 Mary Parishes, the treasurer, shall draw a warrant and pay out of the general fund of
2 the sheriff or, in Caddo, ~~Plaquemines~~, East Baton Rouge, Bossier, and St. Mary
3 Parishes, the general fund of the governing authority, the amount of the judgment.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____