

2016 Regular Session

HOUSE BILL NO. 385

BY REPRESENTATIVE HAZEL

CRIME: Creates the crime of providing false, nonexistent, or incomplete declaration of residence for bail

1 AN ACT

2 To enact R.S. 14:110.1.2, relative to offenses affecting law enforcement; to create the crime
3 of providing false, nonexistent, or incomplete declaration of residence for bail; to
4 provide elements of the offense; to provide criminal penalties; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:110.1.2 is hereby enacted to read as follows:

8 §110.1.2. Providing false, nonexistent, or incomplete declaration of residence for
9 bail

10 A. It shall be unlawful for any person to give or place on any bail bond or
11 declaration of residence false, nonexistent, or incomplete information for purposes
12 of service or notice as required by Code of Criminal Procedure Article 322.

13 B. Whoever violates the provisions of this Section shall be imprisoned for
14 not more than two years, with or without hard labor, and fined not less than five
15 hundred dollars nor more than five thousand dollars. Whoever violates the
16 provisions of this Section shall also reimburse the sheriff, clerk of court, or agent for
17 costs of attempting to notice the defendant at the address provided on the bond or
18 declaration of residence, which sum shall not be less than twenty-five dollars per
19 attempt.

1 C. There shall be a presumption that an address provided by a defendant is
2 false, nonexistent, or incomplete if a return on service or notice by a peace officer
3 or authorized agent for purposes of service or notice makes a return of record stating
4 that the address is false, nonexistent, incomplete, or similarly unreachable, or if
5 mailed notice is returned by the United States Post Office or parcel service for
6 similar reasons.

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)]

HB 385 Original

2016 Regular Session

Hazel

Abstract: Creates the crime of providing false, nonexistent, or incomplete declaration of residence for bail.

Proposed law provides that it shall be unlawful for any person to give or place on any bail bond or declaration of residence false, nonexistent, or incomplete information for purposes of service or notice. Provides for a presumption that an address is false, nonexistent, or incomplete.

Proposed law provides penalties of imprisonment of not more than two years, with or without hard labor, and fined not less than \$500 nor more than \$5,000.

Proposed law further provides that the offender shall also reimburse the sheriff, clerk of court, or agent for costs of attempting to notice the defendant at the address provided on his bond or declaration of residence, which sum shall not be less than \$25 per attempt.

(Adds R.S. 14:110.1.2)