
DIGEST

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HB 772 Original

2026 Regular Session

Martinez

Abstract: Provides relative to notice for warrant of arrest.

Present law (C.Cr.P. Art. 329) provides for the declaration of residence for the purpose of sending the defendant and certain entities a notice of the defendant's obligation to appear before the court.

Proposed law generally retains present law and restructures the provisions of present law.

Proposed law requires the agent or bondsman who posts the bail undertaking to also place an electronic mail address along with his proper mailing address under his signature.

Proposed law requires the placement of a proper mailing address and electronic mail address pursuant to present law in order for a party to receive the notice provided in present law (C.Cr.P. Art. 333).

Present law (C.Cr.P. Art. 333) provides for the failure of a defendant to appear and the issuance of an arrest warrant for such failure.

Proposed law retains present law.

Proposed law adds the provisions of present law (C.Cr.P. Art. 334), relative to notice of warrant for arrest, to the provisions of present law (C.Cr.P. Art. 333) with the following changes:

- (1) Removes the condition that the court or prosecuting attorney has to make a motion in order for an arrest warrant to be immediately issued for the defendant.
- (2) Requires the court to issue an attachment and requires delivery of the notice of attachment to the agent and the surety through electronic means or certified mail within 30 days of the defendant's failure to appear.
- (3) Adds an agent or bondsman as an individual who is required to be notified of a warrant for arrest and provides for the manner of sending such notice.
- (4) Provides that failure to send notice in order to release the surety of all obligations under the bail undertaking is within 60 days of the issuance of the warrant for arrest.
- (5) Restructures the provisions of present law.

Present law (C.Cr.P. Art. 335) provides for a rule to show cause to obtain a judgment of bond forfeiture.

Proposed law retains present law.

Proposed law restructures the provisions of present law and prohibits the prosecuting attorney from being awarded any court costs or attorney fees for filing a rule to show cause.

Present law (C.Cr.P. Art. 334) provides for notice of warrant for arrest.

Proposed law repeals present law.

Proposed law further amends provisions of the C.Cr.P. and Title 15 of the La. R.S. of 1950 to remove any cross-references to repealed law.

Proposed law provides for a statement of legislative intent relative to Act 221 of the 2024 R.S. of the Legislature.

(Amends C.Cr.P. Arts. 329(A), 331(A)(1), 333, 335, and 336(A)(3) and R.S. 15:574.15(A)(1); Adds C.Cr.P. Art. 329(F); Repeals C.Cr.P. Art. 334)