
HOUSE COMMITTEE AMENDMENTS

2026 Regular Session

Amendments proposed by House Committee on Administration of Criminal Justice to
Original House Bill No. 968 by Representative Turner

1 AMENDMENT NO. 1

2 On page 1, line 3, change "15:571.37(E)(4) and (F)" to "15:571.37(F)"

3 AMENDMENT NO. 2

4 On page 1, line 5, after "court;" and before "and" insert "to provide for contradictory
5 hearings; to provide for duties of electronic monitoring service providers;"

6 AMENDMENT NO. 3

7 On page 1, line 9, change "15:571.37(E)(4) and (F) are" to "15:571.37(F) is"

8 AMENDMENT NO. 4

9 On page 1, line 16, change "person" to "adult"

10 AMENDMENT NO. 5

11 On page 1, line 18, after "payment" delete the remainder of the line and delete line 19 in its
12 entirety and on page 2, delete lines 1 and 2 in their entirety and insert "or payment
13 arrangement acceptable to that provider."

14 AMENDMENT NO. 6

15 On page 2, line 12, after "repayment" delete the remainder of the line and delete lines 13 and
16 14 in their entirety and insert "may be imposed in accordance with a court order entered
17 pursuant to Subsection F of this Section."

18 AMENDMENT NO. 7

19 On page 2, line 20, delete "Except as provided in Paragraph (4)" and at the beginning of line
20 21, delete "of this Subsection, the" and insert "The"

21 AMENDMENT NO. 8

22 On page 2, delete lines 25 through 28 in their entirety and delete page 3 in its entirety and
23 insert the following:

24 "F.(1) This Subsection is applicable only to adults who are subject to
25 court-ordered electronic monitoring in a criminal proceeding.

26 (2) If the monitored individual fails to pay an outstanding or delinquent
27 amount lawfully owed for electronic monitoring services, the electronic monitoring
28 service provider may initiate a contradictory hearing by filing a written delinquency
29 report and notice of hearing request in the pending criminal proceeding and by
30 notifying the court that the provider is terminating the services rendered through its
31 agency for nonpayment or delinquency.

32 (3)(a) The provider shall make every reasonable attempt to deliver the report
33 to the monitored individual, the court, the district attorney, and any surety whose bail
34 undertaking may be affected. Delivery or notice in accordance with this Paragraph
35 may be made by personal delivery, electronic mail, text message, other electronic
36 transmission, mail, or any other method reasonably calculated to provide notice.

1 Electronic delivery to any required recipient is sufficient when sent to the last known
 2 or designated contact information for that recipient.

3 (b) The provider shall certify in writing the delivery, attempted delivery, or
 4 electronic transmission of the report, including the date, time, recipient, and method
 5 used. The provider may also attach supporting documentation, including text
 6 records, email records, account records, invoices, or other proof of transmission or
 7 delinquency. The offender's acknowledgment or signature may be included if
 8 obtained, but such acknowledgment or signature does not affect the validity of the
 9 report if the delivery, attempted delivery, or any other lawful notice is certified by
 10 the provider or delivering agent.

11 (4)(a) The delinquency report and notice shall include, at minimum, all of
 12 the following:

13 (i) The monitored individual's name, case number, and court section or
 14 division.

15 (ii) The outstanding or delinquent amount lawfully owed and the relevant
 16 due date.

17 (iii) The date of notice.

18 (iv) A statement that the provider is terminating the services rendered
 19 through its agency for nonpayment or delinquency.

20 (v) A certification of delivery, attempted delivery, or other lawful notice.

21 (b) The report may be made on a form customarily used by the provider if
 22 it contains the information required by this Paragraph. Supporting documentation
 23 that is sufficient to establish the claimed delinquency, including an invoice, account
 24 statement, or similar record, shall be provided to the court and the monitored
 25 individual and may be provided to the district attorney or surety either upon the
 26 request of the court or when relevant to the contradictory hearing.

27 (c)(i) The filing of the report and notice commences the time period for
 28 setting the contradictory hearing. The court shall set the matter for contradictory
 29 hearing within ten days of filing, exclusive of legal holidays, or on the earliest date
 30 authorized by law that permits service and notice upon required parties.

31 (ii) If the court fails to set the contradictory hearing within the time required
 32 by this Subparagraph, the provider may file a certificate of non-setting and final
 33 notice of termination in the pending criminal proceeding. The provider shall make
 34 every reasonable attempt to deliver the certificate and notice to the monitored
 35 individual, the court, the district attorney, and any surety whose bail undertaking
 36 may be affected.

37 (iii) The provider may remove its device and terminate the services rendered
 38 through its agency unless the court issues a written interim order before expiration
 39 of twenty-four hours after receipt of the certificate and final notice of termination.
 40 Any interim order entered pursuant to this Item shall set forth the date and time of
 41 the continued proceeding or required appearance, which shall be within seventy-two
 42 hours of receipt of the certificate and final notice of termination, and shall specify
 43 the temporary supervision, custodial, transfer, or bail status of the monitored
 44 individual pending further order of the court.

45 (5)(a) If the monitored individual, after proper notice, fails to appear as
 46 required by the court, the court shall issue a warrant for the arrest of the monitored
 47 individual. The monitored individual remains responsible for the full contracted fee
 48 that is lawfully owed to the provider through the date the provider's device is
 49 actually removed.

50 (b) Upon removal of the device, the provider shall promptly notify the court,
 51 the district attorney, the monitored individual, and any affected surety that the device
 52 has been removed and that services rendered through the provider's agency have
 53 been terminated.

54 (6) The provider, or an authorized representative of the provider with
 55 knowledge of the delinquency, notice, and supervision status, shall appear at the
 56 contradictory hearing either in person or by electronic means as authorized by the
 57 court unless any of the following occur:

58 (a) The hearing has been withdrawn.

59 (b) The parties stipulate to the delinquency and transition terms.

1 (c) The court waives the provider's appearance for good cause shown.

2 (7)(a) The court shall determine all of the following at the contradictory
3 hearing:

4 (i) Whether electronic monitoring or other supervision remains required.

5 (ii) Whether the monitored individual is allowed, within a period not to
6 exceed twenty-four hours, to secure another electronic monitoring service provider
7 that meets the requirements of R.S. 15:571.36.

8 (iii) The conditions that govern the monitored individual during any interim
9 period.

10 (iv) Whether bail or any other conditions need to be modified.

11 (v) Whether the surety agrees to remain bound under the modified bail order,
12 requires substitute security authorized by law, or does not want to remain bound
13 under the modified bail order.

14 (vi) Whether remand to custody or another lawful disposition is necessary
15 to protect public safety, victim safety, the monitored individual's appearance in court,
16 or the integrity of the court's previous order.

17 (vii) The deadlines, installment terms, or other lawful payment conditions
18 under which the outstanding or delinquent amount lawfully owed to the provider is
19 to be paid.

20 (b) If the court determines that an outstanding or delinquent amount is
21 lawfully owed to the provider, the court shall order the monitored individual to pay
22 that amount and may establish deadlines, installment terms, or other lawful payment
23 conditions for satisfaction of that amount. Payment shall be made directly to the
24 provider unless otherwise ordered by the court or agreed by the provider.

25 (c) Nothing in this Paragraph authorizes the court to alter, reduce, or rewrite
26 the provider's contracted, authorized, or otherwise lawfully assessed charges without
27 the provider's consent.

28 (d) The court may assess filing costs or court costs associated with the
29 contradictory hearing against the monitored individual as provided by law.

30 (8)(a) Nothing in this Subsection requires an electronic monitoring service
31 provider to continue supervision of a monitored individual through its agency
32 beyond either the contradictory hearing or any replacement period that is expressly
33 ordered by the court.

34 (b) Upon the filing of the delinquency report and notice of hearing request,
35 the monitored individual's current provider shall continue to supervise the monitored
36 individual and report violations in accordance with R.S. 15:571.36 and 571.37 until
37 the contradictory hearing is held. If the court permits the monitored individual a
38 period of not longer than twenty-four hours to secure another electronic monitoring
39 service provider who meets the requirements of R.S. 15:571.36, the provider shall
40 continue to supervise the monitored individual through this replacement period
41 unless otherwise ordered by the court.

42 (9)(a) If the court permits the monitored individual a period of not longer
43 than twenty-four hours to secure another electronic monitoring service provider who
44 meets the requirements of R.S. 15:571.36, the monitored individual shall enroll with
45 the new provider and have the new monitoring device installed before the prior
46 provider's device is removed unless the court orders another transition method
47 sufficient to ensure that no gap in supervision occurs.

48 (b) The monitored individual's previous provider shall make every
49 reasonable attempt to immediately remove its device upon confirmation that the new
50 provider's device has been installed. Removal shall be completed within the
51 twenty-four hour transition period unless the court expressly orders another method
52 or time period.

53 (c) The monitored individual shall report to the provider who is removing
54 the device, or comply with another removal procedure ordered by the court, for
55 removal of the previous provider's device. The monitored individual is responsible
56 for the full contracted fee lawfully owed to the previous provider until the previous
57 provider's device is removed, unless otherwise ordered by the court or agreed by the
58 provider.

1 (d) The court may order the monitored individual to appear on the next
2 judicial day, or on the next day ordered by the court, to confirm installation of the
3 new device or removal by the previous provider's agency. If confirmation pursuant
4 to this Subparagraph does not occur, the court may address the monitored
5 individual's continued supervision status, bail status, and any further lawful
6 conditions or custodial disposition after hearing from any affected surety.

7 (10)(a) When a bail undertaking may be affected, the surety shall be
8 provided notice and may appear or submit a written response consistent with Code
9 of Criminal Procedure Article 319.

10 (b) A written surety acknowledgment, objection, or substitution form may
11 be submitted on a form customarily used by the surety if it contains the information
12 necessary to advise the court whether the surety agrees to remain bound, requires
13 substitute security authorized by law, or does not want to remain bound under the
14 modified bail order.

15 (c) Nothing in this Paragraph prohibits the surety from requiring the
16 monitored individual to comply with the supervision or check-in requirements of the
17 surety as conditions of the surety's willingness to remain on the bond. The
18 requirements provided in this Subparagraph do not constitute court-ordered
19 conditions of release unless expressly adopted by the court.

20 (d) Nothing in this Paragraph limits the surety's rights as otherwise provided
21 by law.

22 (11)(a) When the contradictory hearing, any continued setting, or any
23 certificate of non-setting and final notice of termination results in removal of an
24 electronic monitoring device, reduction of supervision, modification of a condition
25 previously imposed for victim safety, or release from custody or supervision status
26 that may affect victim safety, notice to any known victim shall be made in the
27 manner otherwise provided by law.

28 (b) The district attorney shall make every reasonable effort to notify any
29 known victim of the setting, continuance, cancellation, reset, or non-setting of any
30 hearing. If the provider has previously received victim contact information from the
31 victim, the provider may also make a reasonable attempt to notify the victim.
32 Nothing in this Subparagraph requires a provider to obtain victim contact
33 information from any other person or agency.

34 (c) Any victim who has been notified may submit a written victim impact
35 statement and may be heard to the extent permitted by law or by the court.

36 (12) If the monitored individual satisfies the outstanding or delinquent
37 amount lawfully owed or otherwise resolves the delinquency to the provider's
38 satisfaction prior to the contradictory hearing, the provider may file a supplemental
39 report withdrawing the hearing request. Upon filing of the supplemental report, the
40 contradictory hearing may be cancelled unless the court determines that another issue
41 regarding supervision, bail, victim safety, or public safety remains pending.

42 (13) Any remand, custody decision, bail modification, continued supervision
43 order, or decision to release the monitored individual pursuant to this Subsection
44 shall be based on public safety, victim safety, appearance of the monitored individual
45 in court, surety status, or the loss of court-approved supervision, and not solely on
46 the basis of nonpayment. The court shall state for the record the reasons for any
47 ruling made pursuant to this Subsection."