

Regular Session, 2014

HOUSE BILL NO. 790

BY REPRESENTATIVE KATRINA JACKSON

BONDS: Authorizes courts by rule to alter the percentage of cash to be deposited in lieu of a surety bond

1 AN ACT

2 To enact Code of Criminal Procedure Article 324(A)(4), relative to bail; to authorize courts  
3 to rule to alter the percentage of amount of bail to be deposited with the officer  
4 authorized to accept the bond; to provide for applicability; to provide for the  
5 assessment of an administrative fee; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Code of Criminal Procedure Article 324(A)(4) is hereby enacted to read  
8 as follows:

9 Art. 324. Cash deposits

10 A.

11 \* \* \*

12 (4) A court in any parish other than St. John the Baptist and St. Charles, by  
13 written rule and with the consent of the district attorney, may alter the percentage  
14 amount of bail to be deposited with the officer authorized to accept the bond and  
15 authorize the officer to charge an administrative fee, not to exceed twenty-five  
16 dollars for processing the bond.

17 \* \* \*

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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)]

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Katrina Jackson

HB No. 790

**Abstract:** Authorizes courts by rule, with the consent of the district attorney, to alter the percentage amount to be deposited in lieu of a bail bond.

Present law provides that a defendant may furnish his personal undertaking, secured by a deposit with an officer authorized to accept the bail.

Present law further provides that the deposit shall consist of any of the following which are equal to the amount of the bail:

- (1) Cash.
- (2) A certified or cashier's check on any state or national bank.
- (3) Bonds of the United States government negotiable by delivery.
- (4) Bonds of the state of Louisiana or any political subdivision thereof, negotiable by delivery.
- (5) United States postal money orders or money orders issued by any state or national bank.

Proposed law retains present law.

Present law further provides that the court in the parishes of St. John the Baptist and St. Charles, by written rule, may alter the percentage amount of bail to be deposited with the officer authorized to accept the bond, and authorizes the officer to charge an administrative fee, not to exceed fifteen dollars, for processing the bond.

Proposed law retains this provision of present law and further provides that a court in any parish other than St. John the Baptist and St. Charles, by written rule and with the consent of the DA, may alter the percentage amount of bail to be deposited with the officer authorized to accept the bond and authorize the officer to charge an administrative fee, not to exceed \$25 for processing the bond.

(Adds C.Cr.P. Art. 324(A)(4))