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**SENATE FLOOR AMENDMENTS**

2020 Regular Session

Amendments proposed by Senator Fred Mills to Engrossed House Bill No. 421 by Representative Brown

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1 AMENDMENT NO. 1

2 On page 1, line 2, after "R.S. 22:1573(F)" insert "and Code of Criminal Procedure Article  
3 331(I)"

4 AMENDMENT NO. 2

5 On page 1, line 3, after "331(6) and (7)" insert ", 331(J) and (K)," and after "agents;" insert  
6 "to provide for discharge of bail obligation;"

7 AMENDMENT NO. 3

8 On page 1, delete line 8 and insert:

9 "Section 1. Code of Criminal Procedure Article 331(I) is hereby amended and  
10 reenacted and Code of Criminal Procedure Article 311(6) and (7) and 331(J) and (K) are  
11 hereby enacted to"

12 AMENDMENT NO. 4

13 On page 1, after line 20, insert the following:

14 "Art. 331. Discharge of bail obligation

15 \* \* \*

16 I. In all cases and by operation of law, during the period of time declared by  
17 the governor to be a statewide public health emergency due to COVID-19, the time  
18 period for the appearance or surrender of a defendant is interrupted. The surety's  
19 opportunity to resolve a failure to appear by surrendering, constructively  
20 surrendering, or otherwise satisfying the bail obligation is automatically extended for  
21 one hundred eighty days following the declared end of the state of emergency or  
22 from the date of proper notice of a failure to appear to the defendant, surety agent  
23 and surety, whichever is later, without need for the filing of any motion.  
24 Additionally, a surety may file a motion in the criminal court of records seeking  
25 additional time to surrender a defendant citing specific circumstances related to  
26 COVID-19 and pertaining to the defendant in the criminal matter.

27 J. In cases which were continued by the court during the time period declared  
28 by the governor to be a statewide public health emergency due to COVID-19, it is  
29 required that notice of any new date be provided to the defendant or his duly  
30 appointed agent and his personal surety or the commercial surety or the agent or  
31 bondsman who posted the bail undertaking for the commercial surety in accordance  
32 with Code of Criminal Procedure Article 330(D).

33 I.K. The court shall order the bail obligation canceled when there is no  
34 further liability thereon."