

2025 Regular Session

HOUSE BILL NO. 141

BY REPRESENTATIVE HUGHES

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

BAIL: Provides relative to the discharge of bail obligations

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AN ACT

To enact Code of Criminal Procedure Article 331(M), relative to bail; to provide relative to the discharge of bail obligations; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Criminal Procedure Article 331(M) is hereby enacted to read as follows:

Art. 331. Discharge of bail obligation

* * *

M. At any time prior to the defendant's failure to appear or within one hundred eighty days after the notice of warrant for arrest is sent, the surety may file proof of the defendant's deportation with the clerk of court. If the surety is unable to obtain proof of deportation, the surety or the court may invoke a contradictory hearing in order to establish proof of the defendant's deportation. If the court determines that the defendant's deportation has occurred, the surety shall be fully and finally discharged and relieved of any and all obligations under the bail undertaking.

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 141 Engrossed

2025 Regular Session

Hughes

Abstract: Provides that the bail undertaking ceases and the surety is relieved of all bail obligations when proof has been provided of the defendant's deportation.

Present law (C.Cr.P. Art. 331) provides for the discharge of bail obligations.

Proposed law retains present law.

Proposed law provides that at any time prior to the defendant's failure to appear or within 180 days after the notice of warrant for arrest is sent, the surety may file proof of the defendant's deportation with the clerk of court.

Proposed law provides that if the surety is unable to obtain proof of deportation, the surety or the court may invoke a contradictory hearing in order to establish proof of the defendant's deportation.

Proposed law provides that if the court determines that the defendant's deportation has occurred, the surety shall be fully and finally discharged and relieved of any and all obligations under the bail undertaking.

(Adds C.Cr.P. Art. 331(M))