

BY REPRESENTATIVE MENA

To amend and reenact Code of Criminal Procedure Article 334, relative to bail; to provide relative to notice of warrant for arrest; to provide for additional recipients of a notice of warrant for arrest; and to provide for related matters.

Section 1. Code of Criminal Procedure Article 334 is hereby amended and reenacted to read as follows:

After a warrant for arrest is issued, the clerk of court shall, within sixty days

of the defendant's failure to appear, send a notice of warrant for arrest to the prosecuting attorney. The notice shall also be sent by United States mail or electronic means to the defendant, the bail agent or bondsman, if any, and the personal surety. Notice shall be sent by electronic means or by certified mail return receipt requested to the commercial surety. When the agent or bondsman has filed a "Notice of Electronic Notification Opt In" form with the clerk of court, the notice of warrant for arrest shall be sent to the agent or bondsman by electronic means. All notices shall be sent to the addresses provided pursuant to Article 329 or an address registered with the ~~Louisiana~~ Department of Insurance. The notice to the commercial surety shall include the power of attorney number used to execute the bail undertaking. Failure to include the power of attorney number shall not affect the validity or enforcement of a resulting judgment. After sending the notice of warrant for arrest, the clerk of court shall execute a certificate that notice was sent and place

1 the certificate in the record. Failure to send notice to the commercial surety and the
2 agent or bondsman who has opted into electronic notification within sixty days of the
3 defendant's failure to appear shall release the surety of all obligations under the bail
4 undertaking.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____