
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)]

Roy

HB No. 216

Abstract: Provides for the rearrest and resetting of bond for the same offense for offenders who are released without a 48 hour probable cause hearing.

Present law provides that persons continued or remaining in custody pursuant to an arrest made without a warrant shall be entitled to a determination of probable cause within 48 hours of arrest.

Present law provides that the failure to conduct the hearing results in release of the defendant on his own recognizance.

Proposed law retains present law.

Proposed law shall not preclude the defendant's rearrest and resetting of bond for the same offense or offenses upon the issuance of an arrest warrant based upon a finding of probable cause by a magistrate.

(Amends C.Cr.P. Art. 230.2(B))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill.

1. Removed proposed law provisions requiring a contradictory hearing to set bail.
2. Added provisions providing for the release of the defendant on an unsecured personal surety bond.

House Floor Amendments to the engrossed bill.

1. Removed provisions regarding increasing or decreasing the amount of bail or requiring additional security for offenders released when probable cause determination is not timely made.