
DIGEST

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Leger

HB No. 581

Abstract: Provides for the reinstatement of bail in cases where the prosecution has dismissed criminal charges if the surety agrees.

Present law provides for the setting of bail by the court in criminal cases.

Proposed law retains present law and further provides that in cases where the district attorney dismisses an indictment or information and institutes a subsequent indictment or information for the same offense or for a lesser offense based on the same facts, the court shall reinstate any bail discharged when the district attorney dismissed the initial indictment or information if the surety consents to the reinstatement.

Proposed law provides that if the defendant voluntarily appears in court for the subsequent indictment or information at the first hearing for which he received actual notice, proof of which appears of record, the court shall permit the defendant to remain released for five days, excluding weekends, to obtain the consent of the surety.

(Adds C.Cr.P. Art. 334.4)