The legislative instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Angela L. De Jean.

CONFERENCE COMMITTEE REPORT DIGEST

Senate Bill No. 319 by Senator Martiny

Keyword and summary of the bill as proposed by the Conference Committee

CRIMINAL PROCEDURE. Provides relative to the right to notice of time and place of defendant's required appearance. (8/1/12)

Report rejects House amendments which would have:

1. Added a provision that failure to mail notice of the signing of the judgment within sixty days after the defendant's initial failure to appear shall release the sureties of all obligations.

Digest of the bill as proposed by the Conference Committee

Present law provides that when a bail bond fixes an appearance date, the defendant appears as ordered, and notice of the next appearance date is given to the defendant, no additional notice of that appearance date is required to be given to the defendant or the personal surety or the commercial surety or the agent or bondsman who posted the bond for the commercial surety.

Present law provides that when a bail bond does not fix the appearance date, written notice of the time, date, and place the defendant is first ordered by the court to appear shall be given to the defendant or his duly appointed agent and his personal surety or the commercial surety or the agent or bondsman who posted the bond for the commercial surety.

Present law provides that if the defendant appears as ordered and the proceeding is continued to a specific date, the defendant and the personal surety or the commercial surety or the agent or bondsman who posted the bond for the commercial surety need not be given notice of the new appearance date.

Proposed law clarifies that present law applies in instances where the defendant and surety or agent or bondsman who posted the bond for the surety has been given notice of the initial hearing.

Present law provides that if the defendant fails to appear as ordered, or the proceeding is not

continued to a specific date, the defendant or his duly appointed agent, the personal surety or the agent or bondsman who posted the bond for the commercial surety shall be given notice of the new appearance date.

Proposed law retains present law.

Effective August 1, 2012.

(Amends C.Cr.P. Art. 344(C))