

Regular Session, 2012

ACT No. 748

HOUSE BILL NO. 581

BY REPRESENTATIVE LEGER

1 AN ACT

2 To enact Code of Criminal Procedure Article 334.4, relative to bail; to provide for the
3 reinstatement of bail in certain cases; to provide for the circumstances in which bail
4 may be reinstated; to provide for the adoption of rules; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Code of Criminal Procedure Article 334.4 is hereby enacted to read as
8 follows:

9 Art. 334.4. Reinstatement of bail following dismissal of case by prosecution;
10 conditions

11 A. When the district attorney dismisses an indictment or information and
12 institutes a subsequent indictment or information for the same offense or for a lesser
13 offense based on the same facts, the court shall reinstate any bail discharged when
14 the district attorney dismissed the initial indictment or information if the surety
15 consents to the reinstatement expressly and in writing.

16 B. Orleans Parish district judges with criminal jurisdiction sitting en banc
17 may adopt rules effectuating telephonic communication and verification of bonds
18 and releases.

1 C. Nothing in this Article limits the court's authority to increase or reduce
2 bail pursuant to Article 342.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____