

---

## 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)]

---

Elbert Guillory

HB No. 114

**Abstract:** Deletes provision of law regarding procedure for bond forfeiture having a face value of \$50,000 or more.

Present law provides that for bonds which have a face value under \$50,000, any judgment forfeiting the appearance bond shall at any time, within six months, after mailing of the notice of the signing of the judgment of bond forfeiture, be fully satisfied and set aside upon the surrender or the appearance of the defendant. The appearance of the defendant shall operate as a satisfaction of the judgment, and the surrender shall operate as a satisfaction of the judgment and shall fully and finally relieve the surety of any and all obligations under the bond. Any judgment forfeiting the appearance bond shall at any time, within 10 days after the expiration of the six-month period provided to surrender the defendant, be fully satisfied by the payment of the amount of the bail obligation without incurring any interest, costs, or fees.

Present law provides that any judgment forfeiting the appearance bond shall at any time more than six months but within nine months after mailing of the notice for the signing of the judgment of bond forfeiture be satisfied and set aside upon the surrender or the appearance of the defendant, and the payment in cash of 10% of the face amount of the bond. The appearance and payment of 10% in cash of the face amount of the bond shall operate as a satisfaction of the judgment and shall fully and finally relieve the surety of any and all obligations under the bond. Any judgment forfeiting the appearance bond shall at any time within 10 days after the expiration of the nine-month period provided to surrender the defendant be fully satisfied by the payment of the amount of the bail obligation without incurring any interest, costs, or fees.

Present law further provides that for bonds which have a face value of \$50,000 or more, any judgment forfeiting the appearance bond shall at any time within six months after mailing of the notice of the signing of the judgment of bond forfeiture be fully satisfied and set aside upon the surrender or the appearance of the defendant. The appearance of the defendant shall operate as a satisfaction of the judgment and shall fully and finally relieve the surety of any and all obligations under the bond. Any judgment forfeiting the appearance bond shall at any time, within 10 days after the expiration of the six-month period provided to surrender the defendant, be fully satisfied by the payment of the amount of the bail obligation without incurring any interest, costs, or fees.

Proposed law deletes the provision of present law providing for forfeiture of bonds with a face value of \$50,000 or more.

(Amends R.S. 15:85(10))