
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Michael Bell.

DIGEST

Present law provides that an officer may issue a summons and release an offender from custody or take him immediately before a magistrate whenever any offender is arrested for a violation of any traffic provision.

Proposed law mandates that an officer shall issue a summons and notice to appear and release the offender from custody whenever any offender is arrested for a violation of any traffic provision.

Proposed law provides that when a peace officer has reasonable grounds to believe the conduct of an offender constituted a direct contempt of the court by contumaciously failing to comply with a summons or a notice to appear in court for a misdemeanor traffic or non violent offense, and the court ordered the offender attached and brought to court, the peace officer shall issue a written citation or summons to the offender commanding him to appear and answer the direct contempt charge within seventy two hours of receiving the written citation or summons. The arresting officer shall fully inform the arrested person of the consequences of failing to honor a written promise to appear pursuant to C.Cr.P. Art. 22.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amend R.S. 32:391(B); adds C.Cr.P. Art. 211.5)