2020 Regular Session

HOUSE BILL NO. 135

BY REPRESENTATIVE MARINO

BAIL: Repeals the prohibition on releasing a defendant on his own personal undertaking or with an unsecured personal surety when charged with certain drug offenses

AN ACT

To repeal Code of Criminal Procedure Article 321(C)(20), relative to bail; to repeal the prohibition on releasing an arrested defendant on his own personal undertaking or with an unsecured personal surety when he is charged with certain drug offenses.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Criminal Procedure Article 321(C)(20) is hereby repealed in its entirety.

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)]

HB 135 Original 2020 Regular Session Marino

Abstract: Repeals the prohibition on releasing a defendant charged with the production, manufacturing, distribution, or dispensing or the possession with intent to produce, manufacture, distribute, or dispense a controlled dangerous substance on his personal undertaking or with an unsecured personal surety.

Present law provides for a list of certain offenses on which a defendant who has been arrested shall not be released on his personal undertaking or with an unsecured personal surety.

Proposed law removes the offense of the production, manufacturing, distribution, or dispensing or the possession with the intent to produce, manufacture, distribute or dispense a controlled dangerous substance in violation of present law (the Uniform Controlled Dangerous Substances Law) from the present law list of certain offenses on which a defendant who has been arrested shall not be released on his personal undertaking or with an unsecured personal surety.

(Repeals C.Cr.P. Art. 321(C)(20))