

Regular Session, 2010  
HOUSE BILL NO. 571  
BY REPRESENTATIVE SCHRODER

# ACT No. 709

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 345(A) and (B), relative to bail;  
3 to provide with respect to the surrender of a defendant; and to provide for related  
4 matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Criminal Procedure Article 345(A) and (B) are hereby amended  
7 and reenacted to read as follows:

8 Art. 345. Surrender of defendant

9 A. A surety may surrender the defendant or the defendant may surrender  
10 himself, in open court or to the officer charged with his detention, at any time prior  
11 to forfeiture or within the time allowed by law for setting aside a judgment of  
12 forfeiture of the bail bond. For the purpose of surrendering the defendant, the surety  
13 may arrest him. Upon surrender of the defendant, the officer shall detain the  
14 defendant in his custody as upon the original commitment and shall acknowledge the  
15 surrender by a certificate signed by him and delivered to the surety. The officer shall  
16 retain and forward a copy of the certificate to the court. Thereafter, the surety shall  
17 be fully and finally discharged and relieved, as provided for in Paragraphs C and D  
18 of this Article, of any and all ~~obligation~~ obligations under the bond.

19 B. If the defendant is incarcerated by the officer originally charged with his  
20 detention at any time prior to forfeiture or within the time allowed by law for setting  
21 aside a judgment for forfeiture of the bail bond, the surety may apply for and receive  
22 from any officer in charge of any facility in the state of Louisiana or a foreign  
23 jurisdiction charged with the detention of the defendant a letter verifying that the  
24 defendant is incarcerated, but only after the surety verifies to the satisfaction of the

