

Regular Session, 2012

# ACT No. 748

HOUSE BILL NO. 581

BY REPRESENTATIVE LEGER

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AN ACT

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

Be it enacted by the Legislature of Louisiana:

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

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

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

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

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

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_