



June 12, 2020

Re: Louisiana House Bill No. 421

Dear Agent,

The Governor is expected to sign House Bill No. 421 which amends, effective immediately, Louisiana Code of Criminal Procedure relative to bail enforcement agents, continuing education requirements, and the discharge of bail obligations.

Discharge of Bail Obligations

As it pertains to the discharge of bail obligations during the statewide public health emergency due to COVID-19, the time-period for the appearance or surrender of a defendant has been extended. The surety's opportunity to resolve a failure to appear by surrendering, constructively surrendering, or otherwise satisfying the bail obligation is automatically extended for one hundred eighty (180) days following the declared end of the state of emergency or from the date of proper notice of a failure to appear to the defendant, surety agent and surety, whichever is later.

This extension is automatic and does not require the filing of any motion. A surety may file a motion in the criminal court of records seeking additional time to surrender a defendant citing specific circumstances related to COVID-19 and pertaining to the defendant in the criminal matter.

In cases that have been continued by the court during the time period declared a statewide public health emergency due to COVID-19, it is required that notice of any new date be provided to the defendant or his duly appointed agent and the commercial surety or the agent or bondsman who posted the bail undertaking for the commercial surety in accordance with Code of Criminal Procedure Article 330(D).

Continuing Education Requirements

The continuing education requirements for renewal of a bail bond producer license shall be twelve hours of approved bail underwriting instruction. At least six of the hours shall be dedicated to matters related to bail enforcement.

Bail Enforcement Agents

Any bail enforcement agent who carries a concealed firearm is subject to the concealed handgun permit requirements as provided in R.S. 40:1379.3. In addition to any imprisonment or fine imposed pursuant to R.S. 40:1379.3, the person or entity shall forfeit and surrender to the commissioner the person's or entity's license to transact insurance business in this state upon finality of the conviction. The person or entity that has forfeited a license shall be precluded for a period of three years thereafter from obtaining any license to transact insurance business in the State.

A copy of House Bill 421 can be found at the Louisiana State Legislature website:

<http://www.legis.la.gov/legis/BillInfo.aspx?s=20rs&b=HB421&sbi=y>

If you have any questions, please do not hesitate to contact our compliance department at (800) 935-2245.

Sincerely,

A handwritten signature in black ink, reading "James D. Portman". The signature is written in a cursive style with a large, prominent initial "J".

James D. Portman
Senior Vice President
Chief Legal Counsel