

July 5, 2001

The Honorable Michael S. Baer
Secretary of the Senate
State Capitol
Baton Rouge, LA 70804

Re: Senate Bill No. 884 by Senator Marionneaux
Criminal Procedure: Extends from six months to one year the period for enforcement and collection of a judgment of bond forfeiture on bonds with a value of \$50,000 or more

Dear Mr. Baer:

Senate Bill No. 884 amends the law as it pertains to the forfeiture of bail bonds valued at \$50,000 or more. It provides that only half of such a bond is forfeited upon failure to produce a defendant under such a bond within six months of failure to appear. I am advised that for all other bonds, the entire amount is forfeited after a six month period. The bill would allow sureties to retain 50% of the bond for an additional six months pending capture of the defendant.

On the one hand, the proponents argue that more defendants would be captured under this new law, while others believe that it only allows a possibility of a windfall for sureties and that defendants not produced within six months are more likely to be captured by routine law enforcement activity rather than by bondsmen.

I am further advised that the proposed changes in the law will financially impact police juries; local law enforcement; the judiciary; district attorneys; and indigent defenders. Because of the negative financial effect that this legislation would have on local government finances and other issues raised, I am vetoing Senate Bill No. 884 and returning it to the Senate.

Sincerely,

M.J. "Mike" Foster, Jr.

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