

Superseded 5/10/2016

31A-35-702 Early surrender without cause.

- (1) The bail or bail bond premium shall be returned in full if a bail bond producer without good cause surrenders a defendant to custody before:
 - (a) the time specified in the undertaking of bail or the bail bond for the appearance of the defendant; or
 - (b) any other occasion where the presence of the defendant in court is lawfully required.
- (2) As used in this section, "good cause" includes:
 - (a) the defendant providing materially false information on the application for bail or a bail bond;
 - (b) the court's increasing the amount of bail beyond sound underwriting criteria employed by:
 - (i) the bail bond producer; or
 - (ii) the bail bond surety;
 - (c) a material and detrimental change in the collateral posted by:
 - (i) the defendant; or
 - (ii) a person acting on the defendant's behalf;
 - (d) the defendant changing the defendant's address or telephone number without giving reasonable notice to:
 - (i) the bail bond producer; or
 - (ii) the bail bond surety;
 - (e) the defendant commits another crime, other than a minor traffic violation, as defined by department rule, while on bail;
 - (f) failure by the defendant to appear in court at the appointed time; or
 - (g) a finding of guilt against the defendant by a court of competent jurisdiction.