

# H.B. 370

## BAIL BOND AMENDMENTS

HOUSE FLOOR AMENDMENTS

AMENDMENT 2

MARCH 4, 2011 6:23 PM

Representative **Gregory H. Hughes** proposes the following amendments:

1. *Page 1, Lines 14 through 16*

*House Committee Amendments*

*3-3-2011:*

14 who has posted bail fails to appear; {-

15 ~~requires that the clerk of the court notify the prosecutor and the surety when bail has~~

16 ~~been exonerated;}~~

2. *Page 1, Lines 17a through 18*

*House Committee Amendments*

*3-3-2011:*

17a when the defendant appears at the next court hearing and where the court has not scheduled any

18 action in the case within ~~{-365 days}~~ 18 months after the most recent docket activity; and

3. *Page 1, Line 20*

*House Committee Amendments*

*3-3-2011:*

20 bail bond sureties and agencies .

4. *Page 3, Lines 83 through 85b*

*a. House Committee Amendments*

*b. 3-3-2011:*

83 (d) If a surety issues a bond after the execution of sentence, the surety is liable on the

84 undertaking ~~to~~ {+} **during all proceedings and for all court appearances**

84a **required of the defendant up** {+}

85 {+} **to and including the next execution of sentence imposed under Subsection [77-20-7](1)** {+}

and until the

85a next court hearing. Upon appearance of the defendant, the bond shall be exonerated without

85b motion ~~to~~ .

5. *Page 4, Line 95*

*House Committee Amendments*

3-3-2011:

95 (5) If the court does not set on a calendar any hearings on a case within ~~{365 days}~~ 18 months  
of the

6. Page 4, Line 112

House Committee Amendments

3-3-2011:

112 ~~(d)~~ e ~~←~~ mail notice of the failure to appear to the bail ~~{producer's}~~ agent if the surety is

7. Page 4, Lines 119 through 120

House Committee Amendments

3-3-2011:

119 agent are relieved of further obligation under the bond ~~{+}~~ **if the surety's current name and address**

120 **or the current name and address of the surety's agent are on the bail bond in the court's file** ~~{+}~~ .

8. Page 5, Line 129:

129 ~~court to)~~ and the court is notified of the arrest, or the court recalls the warrant ~~{for any reason}~~ due to  
the defendant's having paid the fine and

9. Page 5, Lines 131 through 132:

131 ~~deliver a copy of the motion to the prosecutor.]~~ ~~{The clerk of the court shall notify the~~

132 prosecutor and the surety that the bond has been exonerated} .

10. Page 5, Lines 145 through 147:

145 76-3-201; ~~{+}~~ or ~~{+}~~

146 ~~{(v) or the warrant is recalled for any reason; or}~~

147 ~~{+}~~ (v) ~~{+}~~ ~~{(vi)}~~ the surety demonstrates by a preponderance of the evidence that: