

Effective 11/16/2021

77-20-502 Time for bringing defendant to court -- Defendant in custody in another jurisdiction -- Notice to prosecuting attorney.

- (1)
 - (a) If notice of a defendant's failure to appear is emailed to a surety under Section 77-20-501, the surety may bring the defendant before the court, or surrender the defendant into the custody of a county sheriff within the state, within 180 days after the day on which the defendant failed to appear in court as required.
 - (b) A forfeiture action may not be brought during the 180-day time period described in Subsection (1)(a).
- (2) A surety may request an extension of the 180-day time period in Subsection (1) if the surety within that time:
 - (a) files a motion for extension with the court; and
 - (b) mails the motion for extension and a notice of hearing on the motion to the prosecuting attorney.
- (3) The court may extend the 180-day time period in Subsection (1) for no more than 30 days if:
 - (a) the surety has complied with Subsection (2); and
 - (b) the court finds good cause.
- (4) If a surety is unable to bring a defendant to the court because the defendant is and will be in the custody of authorities of another jurisdiction, the surety shall:
 - (a) notify the court and the prosecuting attorney; and
 - (b) provide the name, address, and telephone number of the custodial authority.

Renumbered and Amended by Chapter 4, 2021 Special Session 2