

February 10, 1998

Mr. Speaker:

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 124**, BAIL BOND AGENT LICENSURE ACT, by Representative S. Koehn, with the following amendments:

1. Page 1, Line 10: After Line 10 insert:
"AMENDS:
77-20-8.5, as enacted by Chapter 160, Laws of Utah 1988"
2. Page 2, Line 30: After "surety" delete rest of line.
3. Page 2, Line 31: Delete "bonds in connection with judicial proceedings"
4. Page 5, Line 1: Delete "all bonds and"
5. Page 5, Line 21: Delete "seven" and insert "five"
6. Page 5, Line 27: Delete "two" and insert "one"
7. Page 5, Line 30: Delete entire line.
8. Page 5, Line 31: Delete "(e)" and insert "(d)"
9. Page 6, Line 2: Delete "(f)" and insert "(e)"
10. Page 7, Line 19: Delete "four" and insert "three"
11. Page 7, Line 20: After "chapter" delete "one member who is a district court judge,"

Bill Number

Action Class

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12. Page 9, Line 15: Delete "concealed" and insert "carried"
13. Page 10, Line 19: Delete entire line.
14. Page 10, Line 20: Delete "(h)" and insert "(g)"
15. Page 10, Line 21: Delete "(i)" and insert "(h)"
16. Page 10, Line 22: Delete Lines 22 through 31.
17. Page 11, Line 1: Delete Lines 1 through 5.
18. Page 11, Line 6: Delete "(4)" and insert "(2)"
19. Page 13, Line 4: After "accompanied by" delete ":",
20. Page 13, Line 5: Delete "(a)"
Delete ";and" and insert ":",
21. Page 13, Line 6: Delete entire line.
22. Page 16, Line 5: After "agency" insert "who are licensed under this chapter"
23. Page 21, Line 21: After Line 21 insert:
"Section 25. Section **77-20-8.5** is amended to read:
77-20-8.5. Sureties -- Surrender of defendant -- Arrest of defendant.
(1) (a) The sureties may at any time prior to a forfeiture of their bail surrender the defendant and obtain exoneration of their bail by filing written requests at the time of the surrender.
(b) To effect surrender, certified duplicate copies of the undertaking shall be delivered to a peace officer, who shall detain the defendant in his custody as upon a commitment, and shall in writing acknowledge the surrender upon one copy of the undertaking. This certified copy of the undertaking upon which the acknowledgment of surrender is endorsed shall be filed with the court. The court may then, upon proper application, order the undertaking exonerated and may order a refund of any paid premium, or part of a premium, as it finds just.
(2) For the purpose of surrendering the defendant, the sureties may arrest him at any time before they are finally exonerated and at any place within the state.
(3) A surety acting under this section is subject to the provisions of

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Title 53, Chapter 10, Bail Bond Recovery."

Respectfully,

Robert H. M. Killpack
Committee Chair

Voting: 8-0-3

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