

H.B. 370

BAIL BOND AMENDMENTS

HOUSE FLOOR AMENDMENTS

AMENDMENT 3

MARCH 7, 2011 6:43 PM

Representative **Kay L. McIff** proposes the following amendments:

1. *Page 3, Line 69*

House Committee Amendments

3-3-2011:

69 (1) (a) ~~{The}~~ Except as provided in Subsection (1)(b), the principal and the sureties on the written undertaking are liable on the

2. *Page 3, Line 73*

House Committee Amendments

3-3-2011:

73 appear ~~{up to}~~ ~~and including execution of sentence~~ ~~{the sentencing}~~ when required is a

3. *Page 3, Line 75*

House Committee Amendments

3-3-2011:

75 appearance was given to the sureties . ~~{upon}~~ Upon sentencing. ~~{and}~~ the bond shall be exonerated without

4. *Page 3, Line 76*

House Committee Amendments

3-3-2011:

(b) If the sentence includes a commitment to a jail or prison, the bond shall be exonerated when the defendant appears at the appropriate jail or prison, unless the judge doesn't require the defendant to begin the commitment within seven days, in which case the bond is exonerated upon sentencing.

76 ~~{(b)}~~ (c) For purposes of this section, an order of the court accepting a plea in abeyance

5. *Page 3, Line 79*

House Committee Amendments

3-3-2011:

79 ~~{(c)}~~ (d) Any suspended or deferred sentencing is not the responsibility of the surety and the

6. Page 3, Line 83 through Page 4, Line 85b

House Committee Amendments

3-3-2011:

83 ~~{(d)}~~ (e) If a surety issues a bond after the ~~{-execution of sentence-}~~ sentencing , the
surety is liable on the

84 undertaking ~~→~~ {+} **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) {+} ~~{until the~~

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

85b motion} ~~←~~ ~~H~~ .

7. Page 4, Line 101

House Committee Amendments

3-3-2011:

~~{-when-}~~ as

101 required ~~[and the court chooses to order forfeiture of the bail]~~, the court shall within 30 days of the failure to
appear issue a bench