

121 (viii) pay for the costs of investigation, probation, and treatment services;
 122 (ix) make restitution or reparation to the victim or victims with interest in accordance
 123 with Title 77, Chapter 38a, Crime Victims Restitution Act; and

124 (x) comply with other terms and conditions the court considers appropriate; and

125 (b) if convicted on or after May 5, 1997:

126 (i) complete high school classwork and obtain a high school graduation diploma, a
 127 GED certificate, or a vocational certificate at the defendant's own expense if the defendant has
 128 not received the diploma, GED certificate, or vocational certificate prior to being placed on
 129 probation; or

130 (ii) provide documentation of the inability to obtain one of the items listed in

131 Subsection (8)(b)(i) because of:

132 (A) a diagnosed learning disability; or

133 (B) other justified cause.

134 (9) The department shall collect and disburse the account receivable as defined by
 135 Section 76-3-201.1, with interest and any other costs assessed under Section 64-13-21 during:

136 (a) the parole period and any extension of that period in accordance with Subsection
 137 77-27-6(4); and

138 (b) the probation period in cases for which the court orders supervised probation and
 139 any extension of that period by the department in accordance with Subsection (10).

140 (10) (a) (i) Probation may be terminated at any time at the discretion of the court or
 141 upon completion without violation of 36 months probation in felony or class A misdemeanor
 142 cases, or 12 months in cases of class B or C misdemeanors or infractions.

143 (ii) (A) If, upon expiration or termination of the probation period under Subsection
 144 (10)(a)(i), there remains an unpaid balance upon the account receivable as defined in Section
 145 76-3-201.1, the court ~~H~~→ [f] may [f] ~~shall~~ ←~~H~~ retain jurisdiction of the case and continue
 145a the defendant on
 146 bench probation for the limited purpose of enforcing the payment of the account receivable.
 147 ~~H~~→ [The] If the court retains jurisdiction for this limited purpose, the court may order the ←~~H~~
 147a defendant ~~H~~→ shall to ←~~H~~ pay to the court the costs associated with continued probation
 147b under this
 148 Subsection (10).

149 (B) In accordance with Section 77-18-6, the court shall record in the registry of civil
 150 judgments any unpaid balance not already recorded and immediately transfer responsibility to
 151 collect the account to the Office of State Debt Collection.

276 of civil judgments, the judgment:

277 (a) constitutes a lien;

278 (b) has the same effect and is subject to the same rules as a judgment for money in a
279 civil action; and

280 (c) may be collected by any means authorized by law for the collection of a civil
281 judgment.

282 Section 3. Section 77-20-4 is amended to read:

283 **77-20-4. Bail to be posted in cash, by credit or debit card, or written undertaking.**

284 (1) Bail may be posted:

285 (a) in cash;

286 (b) by written undertaking with or without sureties at the discretion of the magistrate;

287 or

288 (c) by credit or debit card, at the discretion of the judge or bail commissioner.

289 (2) Bail may not be accepted without receiving in writing at the time the bail is posted
290 the current mailing address and telephone number of the surety.

291 (3) Bail posted by debit or credit card, less the fee charged by the financial institution,
292 shall be tendered to the courts.

293 (4) Bail refunded by the court may be refunded by credit to the debit or credit card, or
294 cash. The amount refunded shall be the full amount received by the court under Subsection
295 (3), which may be less than the full amount of the bail set by the court.

296 (5) Before refunding bail that is posted ~~H~~→ by the defendant ←~~H~~ in cash, by credit card,
296a or by debit card, the

297 court ~~H~~→ [shall] may ←~~H~~ apply the amount posted toward accounts receivable, as defined in
297a Section

298 76-3-201.1, that are owed by the defendant in the priority set forth in Section 77-38a-404.

Legislative Review Note
as of 2-24-14 10:42 AM

Office of Legislative Research and General Counsel