

**BAIL AMENDMENTS**

2014 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Scott K. Jenkins**

House Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill allows a court to order bail money to be paid to a judgment creditor.

**Highlighted Provisions:**

This bill:

▶ allows the court to order that a judgment creditor be paid from funds posted as bail by a judgment debtor.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**77-20-4.1**, Utah Code Annotated 1953

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **77-20-4.1** is enacted to read:

**77-20-4.1. Court may order bail paid to a judgment creditor.**

(1) A judgment creditor may request that the court pay bail posted by a judgment debtor to the judgment creditor if:

(a) the judgment debtor owes the judgment creditor funds pursuant to a court-ordered



28 judgment;

29 (b) the judgment creditor provides the court with a copy of the valid judgment; and

30 (c) bail was posted in cash, or by credit or debit card.

31 (2) Upon receipt of a request by a judgment creditor, the court shall require the  
32 judgment debtor to provide either proof of payment or a reason why the court should not order  
33 the forfeiture of bail to then be paid to the judgment creditor.

34 (3) The court may, in its discretion, order all or a portion of the funds deposited with  
35 the court as bail to be paid to the judgment creditor towards the amount of the judgment. If the  
36 amount paid to the court exceeds the amount of the judgment, the court shall refund the excess  
37 to the judgment debtor.

38 (4) Within seven days of the receipt of funds, the judgment creditor shall provide to the  
39 judgment debtor an accounting of amounts received and the balance still due, if any.

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**Legislative Review Note**  
**as of 1-15-14 6:44 AM**

**Office of Legislative Research and General Counsel**