



2010 Bail Bond Legislative Log

July 6, 2010

State	Bill	Description	Status
AK	H 324	Relating: to failure to appear, to arrest for violating certain conditions of release, to release before trial, before sentence, and pending appeal. Court cannot modify bond amount without approval of surety.	Enacted 14MAY10
AK	S 252	Relating: to failure to appear, to arrest for violating certain conditions of release, to release before trial, before sentence, and pending appeal. Court cannot modify bond amount without approval of surety.	Judiciary 03FEB10
AL	H 322	Ignition interlock as a bail condition for second DUI.	Judiciary 16FEB10
AL	H 348	Presiding judge in each district can set up drug courts.	Passed House and Senate 22APR10
AL	S 53	Ignition interlock as a bail condition for second DUI.	Introduced 12JAN10
AL	S 410	Allows each court to set up drug court, pretrial diversion program.	Passed Senate 08APR10
AZ	S 1394	No bail for illegal whom has previously been deported or departed under a removal order.	Passed Senate. From House Rules and Judiciary 01APR10
CA	A 1369	Certain minimum security/low risk inmates (including those pending trial) in county lock ups may participate in a work furlough, home detention/GPS program. Service can be provided by private entity.	Passed Assembly. Passed Senate with House concurring in Senate amendments. Held at desk in Senate Amended/subst 26MAY10
CA	S 1049	A judge or magistrate may, with respect to an offense specified in the existing provision, increase bail above that in the bail schedule without a hearing, provided a declaration justifying the increase is presented under oath by a sworn peace officer.	Rules for assignment. 17FEB10
CA	A 2782	Existing law requires an insurer not to execute an undertaking of bail except by and through a person holding a bail license which is renewable annually by way of a notice of intention. This bill would delete the notice of intention to keep licenses in force as a renewal method, and make bail licenses renewable every 2 years, as prescribed.	Passed House. To Senate 01MAY10
CA	S 1452	Local law enforcement can require parolee to wear GPS device.	From Public Safety 13APR10
CO	H 1215	Authorizes use of cash bond deposits to pay the defendant's court costs, fines, fees and restitution if the defendant was the depositor or the depositor consents.	Enacted Signed by Governor 15APR10
CO	Ballot Initiative	Only defendants who are arrested for their first offense, nonviolent felony or misdemeanor may be released to a pretrial services agency in lieu of a secured bond.	Sec State and AG offices approve language. 21APR10
CO	H 1220	Sun setting bail laws	Enacted 05MAY10
CT	H 5147	To improve the regulation of surety and professional bondsmen. Appointment by an insurer.	Passed House. To Senate 01MAY10
CT	H 5158	Firearms training requirement for agents and recovery agents.	Public Safety & Security

			Hearing Amended 09MAR10
CT	S 475	Bail commissioner can release defendant on non-violent crime charges directly to GPS/home confinement.	Judiciary 12MAR10
FL	H 297	Defendant who leaves scene of an accident in which a death resulted, must be brought before judge before bail given.	To Criminal & Civil Justice Policy Council 10MAR10
FL	H 445	Tightens requirements for PTS agencies in the release of defendants.	From Civil and Criminal Justice Appropriations. Amended. From Criminal and Civil Justice Policy Amended/subst 15APR10
FL	S 782	Tightens requirements for PTS agencies in the release of defendants.	Criminal Justice Temporarily postponed 26MAR10
FL	S 2336	Requires formation of local offender advisory council in each county. (Probably will involve PTS.)	Criminal Justice, Community Affairs, Criminal & Civil Justice Appropriations 04MAR10
FL	S 2364	Amend provisions related to forfeitures	From Criminal Justice to Judiciary, Criminal & Civil Justice appropriations 01APR10
FL	S 2418	Defendant who leaves scene of an accident in which a death resulted, must be brought before judge before bail given.	To Criminal & Civil Justice Appropriations 16APR10
FL	S 296	Allows clerk to attach cash bail for certain court expenses, etc.	From Criminal & Civil Justice Appropriations 19APR10
FL	S 300	Offender in community correction program who re-offends can be held without bail.	To Criminal & Civil Justice Appropriations Temporarily postponed 14APR10
FL	S 2720	Unless there are two previous violations, a technical VOP to be dismissed without bail if not harmful to public safety.	Introduced 11MAR10
GA	H 889	Limits OR bonds for those accused of certain crimes	Enacted. 10MAY10
GA	H 980	School Board Members engaging in bail bond business	Enacted 24MAY10
GA	H 1015	Requires criminal gang offenses to be granted bail by a superior court judge.	Enacted 12APR10
HI	SB 2534	Requires Law Enforcement to accept bonds when courts are closed	Enrolled to Governor 03MAY10
HI	SB 2544	Modernizes Insurance Code; Bail Agents	Enrolled to Governor 30APR10
HI	SB 2697	Modernizes Insurance Code; Bail Agents	Enacted 18MAY10
ID	S 1371	Addresses issue of suspending surety from writing if outstanding unpaid judgments.	Enacted 25MAR10
IN	S 293	Makes bail law concerning: (1) notices to sureties and bond agents; (2) circumstances under which a cause is determined; (3) failure to appear; and (4) substitution of bail for deposits. Specifies that a court may require a defendant admitted to bail to execute a bail bond written by an insurer (instead of being executed with sufficient solvent sureties). Removes a provision that allows a court admitting a defendant to bail to require the	Enacted 26MAR10

IN	S 340	Re parole board duties. (See S 293 which was amended into S 340)	Enacted 24MAR10
KS	H 2528	Amends court procedure for forfeiture. No judgment until 60 (changed from 10) days after notice mailed.	Enacted 30MAR10
KS	H 2656	Non appearance only reason for forfeiture.	Enacted 30MAR10
LA	H 77	No OR for felony offense.	Involuntarily deferred in cmte. 20APR10
LA	H 28	Permits a temporary emergency release on an unsecured personal surety in certain emergency conditions but excludes certain enumerated charges from such releases.	Enacted 08JUN10
LA	H 286	Revises and consolidates bail laws.	Passed House and Senate. 21JUN10
LA	H 442	Increase in premium amount to commercial surety underwriters from \$60 to \$100 if the face of the bond is \$100 or less.	Referred to Cmt on Ins 29MAR10
LA	H 583	Permits electronic signature of defendant on bail undertaking.	Enrolled 15JUN10 Effective 15AUG10
LA	H 554	Prohibits offenders charged with domestic abuse batter from being released on their own recognizance.	Enrolled 15JUN10
LA	H 563	Allows Lafourche parish to set up pilot program for GPS pretrial home detention.	Referred to Cmte on Jud B. 20MAY10
LA	H 570	No OR release for defendant charged with crime of violence.	Enacted 22JUN10
LA	H 571	Clarifies present laws in that when surety receives acknowledgement of surrender and confinement of principal, surety is discharged of obligations on the bond.	Passed House and Senate 17JUN10
LA	H 624	Bail agent who represents surety as an insurance agent shall not be solitarily liable for the forfeiture against a defendant and his sureties. Other provisions requiring DA to confirm accuracy of information on judgment.	Enacted 29JUN10
LA	H 664	Repeals provision which prohibits granting bail subsequent bail where bail has been revoked or subject to forfeiture.	Passed House 07MAY10
LA	H 794	Licensure of agents. Applicants have 24 months from prelicensing program to license application.	Insurance 29MAR10
LA	H 1047	Creates six month bail bond apprentice program.	Enacted 29JUN10
LA	H 1190	Interlock ignition device to be required as a condition of bail in certain cases.	Criminal Justice Hearing 0930 12MAY10
LA	S 120	Increase in premium amount to commercial surety underwriters from \$60 to \$100 if the face of the bond is \$100 or less.	Enacted 09JUN10 Effective 15AUG10
LA	S 685	Creates crime of leaving state to jump bail (1 to 3 years, plus \$2,000 fine).	Enacted 17/JUN10
MI	H 5806	Bail recovery agents exempt from PI licensure act requirements.	Regulatory Reform 11FEB10
MI	S 325	Vehicle tracking devices by bail agent permitted.	Passed Senate. And House. Amended/subst. 17JUN10
MI	S 1153	Correction bill which contains post conviction/probation bonds language from last year.	Passed Senate 23MAR10
MN	S 2636	Judicial district can establish a pilot project EM/GPS to protect victims of domestic abuse.	From Judiciary to Finance 09MAR10
MN	S 2715	For certain domestic abuse charges removes the existing cap on the amount of bail and authorizes bail in any amount necessary to protect the safety of the victim, other family members or the public.	Passed Senate 09MAR10
MN	H 3089	For certain domestic abuse charges removes the existing cap on the amount of bail and authorizes bail in any amount necessary to protect the safety of the victim, other family members or the public.	Crime Victims/Criminal Records to Public Safety Policy and Oversight To Public Safety Finance

			Division 15MAR10
MN	H 2608	Increases maximum bail for non-felony domestic assault.	Passed House 29MAR10
MO	H 2156	Makes revisions on bail including increases in various fees, deposits, experience and CE requirements, prohibits future licensing of agents convicted of felonies requires disclosures for premium financing, requires a \$25,000 deposit from nonresident general bail bond agents, limits the amount of bonds written by general bail bond agents or property bail bond agents and enumerates acceptable assets, enumerates time periods and causes to set aside a forfeiture, if a final judgment is not paid within 30 days, the general bail bond agent's authority to write bonds is suspended and the insurer's authorization to transact business is suspended, and strikes the immunity from false imprisonment of surety recovery agents grants such immunity to a bail bond agent.	Rules Reported Do Pass 20APR10
MO	S 892	Recommends MO DOI commission findings for bail statute overhaul, e.g. uniform state-wide forfeiture provisions, property writers' fiscal accountability.	Judiciary and Civil and Criminal Jurisprudence Hearing 22FEB10
MS	H 835	Establishes community corrections program for 12 th judicial district. (Precursor to PTS expansion?)	Enacted 28APR10
MS	H 900	Defines bail agent, restricts certain relatives from writing bail bonds, other requirements.	Enacted 01APR10
MS	S 2734	Defines bail agent, restricts certain relatives from writing bail bonds, other requirements.	Passed Senate 10FEB10
NC	S 1077	Post Conviction Bond	Passed 2 nd & 3 rd Reading 29JUN10
NC	H 1791	A \$50 fee will be charged if the forfeiture is set aside.	Introduced 19MAY10
NC	H 1792	A \$50 fee will be charged if the forfeiture is set aside.	Introduced 18MAY10
NC	H 1793	A \$50 fee will be charged if the forfeiture is set aside.	Introduced 18MAY10
NC	H 1851	Concerning picture ID for agents.	Introduced 18MAY10
NC	S 1344	A \$50 fee will be charged if the forfeiture is set aside.	Introduced 20MAY10
NJ	A 428	Restricts bail options for second and subsequent offenses occurring while released.	Judiciary 12JAN10
NJ	A 807	Adds death by boat or auto plus certain assaults to bail restricted crimes.	Judiciary 12JAN10
NJ	A 814	Adds death by boat or auto plus certain assaults to bail restricted crimes.	Judiciary 12JAN10
NJ	A 989	Adds 17 crimes to the bail restrictions list.	Judiciary 12JAN10
NJ	A 1143	FTA only justification for forfeiture. Establishes a remission of forfeitures schedule for certain conditions.	Public Safety 12JAN10
NJ	A 1191	No bail for illegal if defendant has two priors for separate crimes.	Judiciary 12JAN10
NJ	A 1491	No ten percent bail for persons charged with violating a domestic violence restraining order.	Judiciary 12JAN10
NJ	ACR 62	Proposes a constitution amendment whereby illegals are ineligible for bail,	Judiciary 12JAN10
NJ	S 294	GPS a condition of bail for one charged with sex offense.	Judiciary 12JAN10
NJ	S 401	No bail for illegal if defendant has two priors for separate crimes.	Judiciary 12JAN10
NJ	S 425	Adds crimes with bail restrictions.	Judiciary 12JAN10
NJ	S 781	Adds death by boat or auto plus certain assaults to bail restricted crimes.	Judiciary

			12JAN10
NY	A 3035	“Jilly’s law” criteria added to bail decision., i. e., danger to community by defendants, etc. may require EM/GPS etc.	Codes 06Jan2010
NY	A 3132	No OR or bail for certain A, B, or C class felonies.	Codes 23JAN09
NY	A 3898	Defines crimes for which defendant can be denied bail except in line with certain restrictions	Codes 06JAN2010
NY	A 4305	Directs courts to exonerate bail and order recognizance when no grand jury action has occurred for 45 days from arraignment, unless for good cause otherwise.	Codes 03FEB10
NY	A 5542	Directs courts to exonerate bail and order recognizance when no grand jury action has occurred for 45 days from arraignment, unless for good cause otherwise.	Codes 03FEB10
NY	A 6746	Requires bail hearing no sooner than 72 hours after bail application for person presumed to be an illegal alien.	Codes 06JAN2010
NY	S 6867	Forfeiture for breach of conditions.	From Crime Victims, Crime, and Corrections 22MAR10
NY	A 7139	Outlines restrictions on granting bail to certain defendants.	Codes 06JAN2010
NY	S 1401	“Jilly’s law” criteria added to bail decision., i. e., danger to community by defendants, etc. may require EM/GPS etc.	Codes 06JAN2010
NY	S 3480	Authorizes and directs courts to deny orders of recognizance or bail where the defendant poses a risk of danger to the community.	Codes 06JAN2010
NY	S 4366	Enforcement agent responsible for conduct of employees.	Codes 04FEB10
NY	S 5539	Authorizes pilot program for posting bail with credit card.	Codes 06JAN2010
NY	A 10353	Authorizes attachment of cash bail for fines, restitution, etc.	Code 19MAR10
NY	A 10336	GPS as condition for bail for domestic abuse. Violation of release conditions can mean forfeiture of bail	Code 19MAR10
OH	H 300	New provisions for resident and non-resident surety bail agent license.	Enacted 26FEB10
OK	H 1741	Bond exoneration re participation in family drug court program.	Enacted 26 MAY10
OK	H 2576	DOI Commissioner can make adjustment to bondsmen’s fees.	Introduced 01FEB10
OK	H 3242	County officials can contract for recovery on fail to pay warrants.	Enacted. 14APR10
OK	H 3275	Place holder for “Bail bondsmen Reform Act of 2010”	Introduced 02FEB10
OK	S 1294	Against fraud, deception, and inducements in insurance (also applies to bail bonds).	Introduced 01FEB10
OK	S 1297	Against fraud, deception, and inducements in insurance (also applies to bail bonds).	Introduced 01FEB10
OK	S 1658	DOI Commissioner can make adjustment to bondsmen’s fees.	Passed Senate 02MAR10
OK	S 1796	Bond exonerated on defendant accepted into a drug court program.	Passed Senate 11MAR10
OK	S 1993	Insurance commissioner to give notice to bondsman of violation, upon verification, can suspend license.	Introduced 01FEB10
OK	S 1994	Makes minor revisions to hearing on violations by bail agents.	Introduced 01FEB10
OK	S 2054	Large insurance bill which has provisions for denial of bail license, withdrawal of appointment by surety, etc..	Enacted 06MAY10
OK	S 2070	Omnibus professional code bill which has provision re criminal conduct related to performance of bail.	Introduced 01FEB10
OK	S 2089	Omnibus profession and occupation codes bill re proper conduct of bail profession.	Introduced 01FEB10
OK	S 2151	Bond exonerated on defendant accepted into a drug court program.	Passed Senate 24FEB10

PA	SR 344	Authorizes criminal justice advisory committee to study Philadelphia courts system	Enacted 15JUN10
RI	S 2561	In the case of expungement, bailor shall be notified and have 7 days to petition for return of any balance left on deposit.	Amended/subst 27MAY
RI	H 7988	The recording fee to discharge a bail bond is \$10	Enacted 22JUN10
SC	H 3798	Raises the alternative cash deposit to 25% of the bail amount (from 10%) but can be made by an "accommodation bondsman" who also must pay the clerk a fee of 4% of the amount of the bond.	Judiciary Hearing Tabled 10MAR10
SC	H 4255	For possession of certain controlled substances, bail may not exceed amount of fine.	Referred to Committee 12JAN10
SC	S 1154	Omnibus crime reduction and sentencing bill.	Enacted 02JUN10
SC	H 4521	Certain persons disqualified for being a surety, e.g. law enforcement, attorneys, etc.	Introduced 04FEB10
SC	H 4812	Bond valid for only two years in circuit court and 18 months in magistrate's court.	Judiciary 13APR10
SC	S 1248	Post Conviction Bond	Judiciary Hearing 04MAR10
SD	S 110	Provides the posting of a bond on parolees under certain circumstances.	Enacted 10MAR10
TN	H 13	No bail for illegal.	Referred to Budget 24FEB10
TN	H 1363	Citizens Right to Know Bill	Judiciary Committee 23FEB10
TN	S 2654	Bondsman can return defendant to jurisdiction provided bondsman pays expenses.	Introduced 20JAN10
TN	H 2764	Defendant to be brought before court within 72 hours to determine if surrender by bondsman was for good cause.	Assigned to Crm Practice 27JAN10
TN	S 2916	Mandates, rather than allows, release of surety's liability if detained request is refused or principal is released upon filing same.	Introduction 27JAN10
TN	H 3124	Factors to consider when setting bail for stalkers, sexual offenses, etc.	Introduced 28JAN10
TN	H 3138	Mandates, rather than allows, release of surety's liability if detained request is refused or principal is released upon filing same.	Enacted 30APR10
TN	H3281	Defendant with prior(s) cannot be released until determined not to be a threat to public safety.	Enacted 30APR10
TN	H 3460	Authorizes court to determine a need for more bondsmen before allowing appointment of same.	Introduced 28JAN10
TN	H3539	Certificate of compliance with CE requirement extended from 60 to 90 days.	Introduced 28JAN10
TN	S 2736	Defendant to be brought before court within 72 hours to determine if surrender by bondsman was for good cause.	Introduction 22JAN10
TN	S 2800	Factors to consider when setting bail for stalkers, sexual offenses, etc.	Introduction 25JAN10
TN	H 2801	Bondsman can return defendant to jurisdiction provided bondsman pays expenses	Introduction 21JAN10
TN	H 887	Requires bail bond applicant to have two years experience with a professional bonding company.	
TN	H 3460	Authorizes court to determine there is a need for additional bondsmen before additional bondsmen are qualified and approved by the court.	
TN	H 1183	Prevents certain elected officials from being bondsmen.	
TN	S 2821	Certificate of compliance with CE requirement extended from 60 to 90 days.	Introduction 27JAN10
TN	S 3412	Authorizes court to determine a need for more bondsmen before allowing appointment of same.	Introduction 28JAN10
UT	H 27	Within the Department of Public Safety is established a Bail Bond Surety Oversight Board and Bail Bond Recovery Licensure Board to include reps from industry.	Enacted 29MAR10
UT	H252	Bail bond act amendments.	Enacted 25MAR10

		(Place holder bill)	
UT	H 426	Recovery agents can wear badges and raid jackets.	Enacted 29MAR10
VA	S 83	Modifies bail recovery licensing. Bond (\$10,000) required.	House Committee 04FEB10
VA	H 728	No person arrested for a felony who has previously been convicted of a felony, or who is presently on bond for an unrelated arrest in any jurisdiction, or who is on probation or parole, may be released to a pretrial services agency in lieu of posting a secure bond unless he is determined by a court to be indigent.	Left in Committee 08MAR10
VA	H 1253	No OR until booking procedures completed.	Courts of Justice 19JAN10
VA	H 1255	Allows bondsmen access to criminal records for a small fee.	Enacted 21APRR10
VT	S 292	To reduced number of detainees, probationers, permits bail for a person charged with a probation violation if the person is on probation for a nonviolent misdemeanor or nonviolent felony and the probation violation did not amount to a new crime.	Enacted. 12MAY10
WA	S 716 (like H728)	No person arrested for a felony who has previously been convicted of a felony, or who is presently on bond for an unrelated arrest in any jurisdiction, or who is on probation or parole, may be released to a pretrial services agency in lieu of posting a secure bond unless he is determined by a court to be indigent.	Court of Justice Tabled 04FEB10
WA	H 2625	Bail for felony to be determined by judicial officer and not bail schedule.	Enacted 31MAR10
WA	H2782	Indigence determination to be made after provision made for bail obligation.	Enacted 29MAR10
WA	HJR 4220	Constitutional amendment to disallow bail in serious cases.	Enacted 10MAR10
WA	HJR 4218	Amendment to state constitution that offenses resulting in mandatory life sentences are not bailable. (On ballot for next general election.)	Public Safety & Emergency Preparedness 29JAN10
WA	S 6673	Appoints a TF to study bail practices.	Enacted 31MAR10
WV	H 4496	The purpose of this bill is to prohibit bail bonding companies or bail bond enforcers from providing fiduciary bonds for estates; and providing an exception: unless agent is licensed with DOI as agent of a carrier that provides surety or fiduciary bonds.	Passed House to Senate Judiciary 04MAR10
WV	SJR 12	Proposes amendment to the Constitution to divert bond forfeitures from support of free schools to the county commission in which the bond was forfeited.	Passed Senate to House Finance 08MAR10
WV	S 6787	Restrictions on bail for defendants accused of certain serious crimes.	Judiciary 27JAN10
WV	S 471	Fees for bonds.	Enacted 24MAR10
WV	S 490	Surety bond to be posted for compliance of protective order. No OR, but within financial means of principal.	Enacted 22APR10
WV	S 218	Early parole bill for non-violent offenders. (Possible vehicle for post conviction bond.)	Enacted 22APR10
US	H 4278	Amendment to state constitution that offenses resulting in mandatory life sentences are not bailable. (On ballot for next general election.)	Public Safety & Emergency Preparedness 29JAN10
US	S 714	Sets up National Crime Commission (will role of bail be included?)	Judiciary 21JAN10
US	S 3120	Funds for fugitive recovery, NCIC entry, contains CRTK provisions.	Judiciary 15MAR10
		Legislative information provided courtesy of Edward Gallagher with the Surety Association of America and Dennis Bartlett, American Bail Coalition	

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