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2017 Bail Bond Legislative Log

February 26, 2017

<u>State</u>	<u>Bill</u>	<u>Sponsor</u>	<u>Description</u>
US	H.R. 4611	Lieu (D-CA)	No More Money Bail Act of 2016. Committee Consideration Action By: House Judiciary – 29FEB16
AR	H 1093	Joint Budget Committee	Funds Professional Bail Bond Licensing Board through JUN18. Joint Budget Committee 04JAN17
AZ	HB 2500	Cardenas	Creates Statewide Pretrial Release Service Program
CA	AB 42	Bonta (Like S10)	Money bail reform bill which states intention to enact legislation to ensure that nobody is held pretrial because of inability to pay bail. Introduced 05DEC16
CA	AB 159	Jones-Sawyer	Prohibits a law enforcement official from cooperating with federal immigration officials by providing information about a juvenile held on an immigration hold after that juvenile becomes eligible for release from custody, unless not cooperating would violate federal law and the juvenile has been convicted of specified crimes. Introduced 13JAN17
CA	A 208	Eggman	Pretrial diversion drug treatment for defendant who pleads not guilty, & deferred entry of judgment. If defendant does not comply, court to terminate program and reinstate proceedings. Introduced 23JAN17
CA	A 789	Rubio	
CA	A 1334	Rubio	Moves costs of examination from the DOI to the bail agent.
CA	S 10	Hertzberg (Like A42)	Money bail reform bill which states intention to enact legislation to ensure that nobody is held pretrial because of inability to pay bail. Introduced 05DEC16
CA	SB 237	Hertzberg	
CA	SB 238	Hertzberg	
FL	H 361	Santiago	Revises legislative intent concerning obligations of bond agent; specifies that failure to appear requires bond & bonds or money deposited as bail to be forfeited; requires that anyone charging fee or premium to post cash or surety bond must be licensed; revises

			circumstances that require forfeiture. Introduced 23JAN17
HI	H 305	Souki	Defendant's bail can be applied to restitution order. Introduced 20JAN17
HI	H 306	Souki	Alcohol monitoring device to be required as a condition of bail for habitual offender. Introduced 20JAN17
HI	H 464	Takayama	No surety bail required for non-felony offense. Introduced 20JAN17
HI	H 1246	Takayama	Allows DPS to release certain pretrial (and convicted) defendants on GPS/e-monitoring in alternate programs. Misdemeanant can be release to prevent overcrowding. Introduced 20JAN17
HI	H 1526	McKelvey	Court to not enforce bail bond during period of service for principal. Judge may discharge sureties and exonerate bond. Introduced 25JAN17
HI	S 493	Kouchi (Like H 305)	Defendant's bail can be applied to restitution order. Introduced 24JAN17
HI	S 494	Kouchi (Like H 306)	Alcohol monitoring device to be required as a condition of bail for habitual offender. Introduced 24JAN17
HI	S 568	Espero	Defendant can be denied bail for violent offences or for a previous conviction on a violent offence. Introduced 20JAN17
IL	S 594	Raoul	Cook County bail reform bill. Introduced 24JAN17
IN	HB 1137	Frizzell	Reduces bail license renewal fee from \$600 to \$300. Requires cash bail to be forfeited no later than 120 days after FTA. Referred to Senate Insurance and Financial Institutions 23FEB17
IN	H 1518	Goodin	Laura's law re warrant for domestic violence. Bail can be revoked upon violation of no contact order for one accused of domestic violence. Judiciary 18JAN17
IN	SB 228	Young	Establishes bail guidelines for arrestees that do not pose a substantial risk of flight. Referred to the House 22FEB17
KS	S 40	Judiciary	Creates a statutory procedure for an arrest without a warrant for a violation of an appearance bond condition. Pretrial officer can apprehend defendants without a warrant upon violation of conditions. Judiciary 19JAN17
KS	S 95	Public Health and welfare	Public assistance benefits not to be used for bail (and other things like cruises.) Public Health and Welfare 26JAN17
MD	H 451	Cluster (Like S 375)	Continuing education for bail agents. Must related directly to bail bond insurance. Introduced 26JAN17

MD	S 375	Jennings (Like H 451)	Continuing education for bail agents. Must relate directly to bail bond insurance. Introduced 26JAN17
MN	H26	Quam	Law enforcement agencies required to comply with federal immigration detainers regardless of arrestee's eligibility for bail. Introduced 05JAN17
MI	H 4071	Kesto	Detention and denial of bail after certain convictions but before sentencing; expand included child abuse. Bail subject to evidence that defendants no threat to public safety. Introduced 24JAN17
MS	H414	Miles	First time DUI arrestees, 18-21 of age, to be held at least 48 hours before release for which bail must be posted. Introduced 05JAN17
MS	S 2089	Hill	Prohibits use of public benefits recipients from using same for bail (along with other prohibited items.) Introduced 09JAN17
MS	H 975	Haney	Time a defendant must spend in jail for first and subsequent DUI offenses. Must post bail before release. Judiciary 16JAN17
MS	H 1033	Gipson	Courts prohibited from detaining defendant solely on grounds of not being able to pay court ordered money, including bail Judge to determine indigence. Judiciary 16JAN17
MS	H 1088	Gipson	DUI arrestee under 21 to be detained, no bail granted until certain conditions met, e.g. parents notified, etc. Judiciary B 16JAN17
MS	H 1090	Brown	Prohibits use of public benefits recipients from using same for bail (along with other prohibited items. Introduced 16JAN17
MS	H 1151	Touchstone	Brings forward provisions regulating bail. Judiciary B 16JAN17 - Died
MS	H 1396	Horan	Bond fee, certain; remove imposition of for person who appeals a conviction and posts a bond conditioned for appearance. A post-conviction bond of sorts. Judiciary B 16JAN17 - Died
MS	S 2089	Hill	Prohibits use of public benefits recipients from using same for bail (along with other prohibited items. Introduced 09JAN17
MS	S 2306	Carmichael	Removes prohibition from acting as a personal surety agent in the writing of bail while licensed as a limited surety agent. Judiciary A 13JAN17 - Died
MS	S 2307	Hudson	Professional bail agent license; exempt law enforcement officers from certain licensing requirements. Judiciary A 13JAN17 - Died
MS	S 2308	Carmichael	Professional bail agent; premium, commission or fee shall be earned when bail bond is posted. Judiciary A 13JAN17 - Died

MS	S 2752	Carmichael	Bail to be presumed attainable by defendant. Indigent to be released OR. No misdemeanor to be held because cannot afford bail. Introduced 16JAN17
MT	SB 59	Wolken	General revise criminal justice laws. Creates risk assessment tool. Introduced 16DEC16
NE	L 395	Morfeld	Change provisions relating to conditions of and ability post bail. Introduced 13JAN17
NV	AB 38	NV Supreme Court	AN ACT relating to bail; authorizing the electronic transmission of certain notices relating to bail; requiring certain persons who are engaged in certain businesses relating to bail to receive electronic transmissions relating to bail; and providing other matters properly relating thereto.
NV	AB 83	On behalf of the Department of business and industry	AN ACT relating to insurance; providing for administrative supervision of insurers and other entities by the Commissioner of Insurance; Referred to Committee on Commerce and Labor
NV	SB 18	Div. of Ins	Makes various changes relating to bail bonds/fugitive recovery. Prefiled Committee on Commerce, Labor and Energy
NJ	A 150	Tucker	Establishes judicial presumption in favor of 10 percent bail option in lieu of bail bond issued for repeat criminal offenders. Judiciary 27JAN16
NJ	A 294	DeCroce	Requires 10 percent bail, prohibits installment payments. Judiciary 27JAN16
NJ	A 683	Munoz	Requires bail agencies to collect at least 10 percent of bail bond amount. Judiciary 27JAN16
NJ	A 1596	Rumana	Expands list of crimes with bail restriction to include gun related crimes with mandatory minimum terms of imprisonment under Graves Act. Law and Public Safety. 27JAN16
NJ	A 2007	Green	Restricts bail options for second and subsequent offenses occurring while released. Judiciary 27JAN16
NJ	A3233	Dancer	Minimum of 10% premium of the face of the bond, less with approval of judge. Allows installment payments, upon lapse thereof, bond to be forfeited. Judiciary 22JAN16
NJ	A 3274	Dancer	Agents must carry ID cards. Judiciary 22JAN16
NJ	A 3288	Dancer	AG to develop guidelines to prohibit solicitation and

			three party phone calls by agents with incarcerated. Judiciary 22JAN16
NJ	A 3275	Dancer	Crime to facility a three way conversation with incarcerated persons. Agents to lose license. Judiciary 22JAN16
NJ	A 3395 (see also S 2047)	McKeon	Revises court filing fees, assessments, penalties, fines and certain licensing fees to fund Pretrial Services program, etc. Referred to Assembly Judiciary Comm. 03MAR16
NJ	A 3491	Wimberly	Establishes “County Government Criminal Justice Reform Admin Fund”. Referred to assembly Judiciary Com 04APR16
NJ	A3507	McKeon	Transfers authority to regulate bail agents from DOBI to DLPS; requires certain defendants to be eligible for monetary bail upon issuance of complaint-warrant.
NJ	A3775	Dancer	Fourth degree crime to operate as unlicensed bail agent, per SCI recommendations. Judiciary 23MAY16
NJ	A4098	Oliver	Requires certain defendants to be eligible for monetary bail upon issuance of complaint-warrant.
NJ	A 4428	Prieto (Like S 2850)	Adds 20 judges to help implement bail reform agenda. Substituted S 2850 Passed House 19DEC16
NJ	S 851	Stack	Restricts bail for persons charged with violent crimes; establishes bail alternatives for non-violent offenders. Judiciary 12JAN16
NJ	S 851	Stack	Restricts bail for persons charged with violent crimes; establishes bail alternatives for non-violent offenders. Judiciary 12JAN16
NJ	S 2047	Cruz-Perez	Revises court filing fees, assessments, penalties, fines, and certain licensing fees to fund Pretrial Services Program, e-court information system and Legal Services of New Jersey; repeals certain statutory provisions concerning court fees. Introduced 21APR16
NJ	S 2079	Barnes	Transfers authority to license/regulate bail agents to Department of law and Public Safety (DLPS) from Department of Banking and Insurance; some DOBI functions re surety companies transferred to AG; establishes Bail Agent Enforcement Unit. Referred to

			Senate Judiciary Comm. 25APR16
NJ	S 2610	Turner (Like A 4098)	Requires certain defendants, not charged with first degree crime and who are not to be detained, to be eligible immediately for monetary bail upon issuance of compliant-warrant. Eligible defendants not to be released on unsecured bond. Judiciary 26SEP16
NJ	S 2850	Sweeney (Like A 4428)	Adds 20 judges to help implement bail reform agenda. Passed Senate, substituted for A 4428 19DEC16
NY	A1161	Simanowitz	Defendant can be detained if a clear and convincing threat to society, community, or person. Codes 11JAN17
NY	A1485	Couch	Allows of revocation of bail or OR and fixing bail in sufficient amount. Codes 12JAN17
NY	A1660	Couch	Allows for revocation of bail or OR and fixing bail in sufficient amount. Codes 12JAN17
NY	A2378	Montesano	Restricts the use of EBT for bail. Codes 12JAN17
NY	A2411	Paulin	Relates to the issuance of an order of recognizance or bail in light of previous violations of same. Codes 20JAN17
NY	A4658	Titus	Directs to exonerate bail and order recognizance when no grand jury action has occurred for 45 days from arraignment, unless the people show good cause otherwise. Referred to codes 3FEB17
NY	S278	Holyman	All certain agencies access to defendant's criminal history.
NY	S294	Robach	Relates to considering danger to victim when setting bail. 4JAN17
NY	S311	Robach	Defendant on domestic violence charge forfeits bail by violation order of protection. Codes 04JAN17
NY	S01161	Carlucci	Calls for the automatic minimum 30 day stay for violation of an order of protection and immediate revocation and forfeiture of the bail (makes an appearance bond a performance bond). Referred to Social Services 06JAN17
NY	S1611	Golden	Bail to be revoked for violation of order of protection and GPS. Codes 10JAN17
NY	S1998A	Ginaris	Relates to time limits for a speedy trial. Amend and Recommit to Codes 27JAN17

NY	S2050	Bonacic	Judicial diversion program for alcohol and substance abuse offenders. Codes 11JAN17
NY	S2517	Galvin	Authorizes possession of large capacity ammunition feeding device by private investigator, bail enforcement agents, etc. Referred to Codes 13JAN17
NY	S3263	Parker	Mandatory jail time for repeat violators of orders of protection and forfeiture or revocation of bail. Children and Families 20JAN17
NY	S 3473	Parker	Protection of victims of domestic violence. Requires defendants to wear GPS and may have bail revoked. Crime Victims 23JAN17
NY	S 3579	Gianaris	Requires an independent pretrial services agent to make recommendations to the court prior to the issuance of bail. Bail cannot be set to secure appearance. Prefers OR to other conditions. Introduced 25JAN17
OK	S 106	Newberry	Concerns forfeiture dates, notifications, filings, conditions of exonerations, etc. Introduced 09JAN17
OK	H 1118	Kirby	Relates to applications by agents, by modifying information for a same. Introduced 12JAN17
OK	H 1730	Blanchett (Like S 364)	Establishes bond hearing procedures for persons in custody; defendant has right to bond hearing; clarifying manner in which pretrial bail is set; use of risk assessments; codification; Counties can setup pretrial programs.. Introduced 19JAN17
OK	H 2159	Nollan	Directs the court clerk to notify the Oklahoma Tax Commission when defendant fails to enter plea or appear for arraignment. Defendant's vehicle registration can be cancelled. Introduced 20JAN17
OK	S 106	Newberry	Concerns forfeiture dates, notifications, filings, conditions of exonerations, etc. Introduced 09JAN17
OK	S 363	Holt	Pretrial Release Act; authorizing special judges to determine eligibility for certain release. County may establish pretrial program. Criteria for such program. Criteria for such program. List of offenses not eligible for pretrial program. Introduced 19JAN17
OK	S 364	Holt (Like H 1730)	Modifies conditions and requirements for certain bond and release. Bond amount cannot exceed maximum

			penalty. Introduced 19JAN17
OK	S 505	Shortey	Bail Enforcement and Licensing Act; modifying inclusions. Introduced 20JAN17
OK	S 525	Leewright	Bail bondsmen; changing certain requirements; qualifications for and validity of application; excludes convicted felons and some officials; bond exoneration; effective date. Introduced 19JAN17
OK	S 535	Shortey	Bail Enforcement and Licensing Act; unlicensed persons; penalty; out-of-state license; residency waiver; emergency. Introduced 19JAN17
RI	H5064	Craven	Allows creation of superior court diversion program for substance abusers or persons with mental health issues charged with certain criminal offenses. Introduced 11JAN17
RI	H5096	Kirby	Entitles criminal defendants charged with enumerated serious criminal offenses to a bail hearing with four (4) calendar days of initial court appearance. Introduced 12JAN17
RI	H5117	Blazejewski	Changes sentencing and execution guidelines, conditions for probation. Court can detain defendant without for a period not to exceed 10 days. Judiciary 12JAN17
RI	H5128	Almeida	Criminal justice impact statements, including bail [arraignments and violations of], pretrial conditions and supervision. Introduced 18JAN17
RI	S8	McCaffrey	Changes sentencing and execution guidelines, conditions for probation. Court can detain defendant without for period not to exceed 10 days. Introduced 11JAN17
RI	H 5206	Craven	Upon defendant's violation of terms of bail, the amount forfeited by court is limited to 10% of surety deposited. Surety given additional time to recover fugitive. AG cannot initiate forfeiture procedures until 45 days post warrant entry. Introduced 26JAN17
RI	S10	McCaffrey	Creates a superior court diversion program. Bail money to remain on deposit. Introduced 11JAN17
SC	H3162	Rutherford	Deals with among of controlled substances on certain veterans. Bail not to exceed that amount of the fine.

			Introduced 10JAN17
TX	H 130	Dutton	Reduces some state jail felonies to misdemeanors. Introduced 14NOV16
TX	H 362	Moody	Relating to procedure for rearrest and adjustment of the bond amount in certain criminal cases. Filed 15NOV16
TX	H 551	Collier	Relating to the authority of a court to return certain fees to a person whose criminal record was expunged. Filed 9DEC16
TX	H 567	White (Like S 271)	Citation or notice to appear for misdemeanor punishable only by a fine. Introduced 12DEC16
TX	H 608	Dutton	Relating to the eligibility of certain defendants for release on a personal bond. Introduced 15DEC16
TX	H 664	Canales	Relating to the release on bail of a defendant arrested following a violation of a condition of community supervision. Introduced 20DEC16
TX	H 668	Canales	Relating to a special bill of review to reform a final judgment of forfeiture on bail bond. Introduced 20DEC16
TX	H 673	Johnson	AG to establish a criminal justice web portal. 21DEC16
TX	H 686	Wu	Courts to set up procedures re bail release conditions, excluding a bail schedule. Restrictions on bail/EM payments/requirements for indigent defendants. Courts to be required to keep /report stats on pretrial. Introduce 21DEC16
TX	H 806	Dale	Increased penalty for FTA. Introduced 03JAN17
TX	H 921	Kacal	Law enforcement's duties regarding immigration status of arrestee and enforcement of immigration detainer. Introduced 10JAN17
TX	H 1088	Munoz	A surety commits an offense if he advises defendant and gives a form for a motion to reduce the amount of bail. Introduced 17JAN17
TX	H 1141	Munoz	Relating to the licensing and regulation of bail bonds sureties in certain counties. Introduced 13JAN17
TX	S 271	Burton (Like H 567)	Citation or notice to appear for misdemeanor punishable only by a fine. Introduced 06DEC16
TX	SJR 8	Hall	Proposing a constitutional amendment denying bail to

			certain persons who are unlawfully present in the United States and are taken into custody for committing a felony. Prefiled 14NOV16
UT	S71	Thatcher	Makes changes in collection of criminal account receivable, including payment for bail; cash, debit/credit card, written undertaking, etc. Introduce 04JAN17
VA	H1765	Bulova	Consequences of convicted misdemeanor's FTA from appearance at setting of trial for appeal or from trial date will be affirmation of lower court's judgment. Courts of Justice 09JAN17
VT	H 56	Grad	Amends qualifications for voluntary pretrial risk assessment. To determine if defendant poses a risk. Authorizes pretrial "monitor" to track compliance. Introduced 17JAN17
WA	H1079	Orwall (like S 5029)	No contact order for human trafficking and prostitution as a condition of defendant's bail. Public Safety 10JAN17
WA	H1163	Goodman	Use of risk assessment in bail determinations for domestic violence cases. Public Safety 12JAN17
WA	H1195	Kilduff	Surrender of person under surety's bond if accompanied by notification of forfeiture and reasons for surrender. Surrender to jail in jurisdiction related to bail. Public Safety hearing 24JAN17
WA	S5029	Padden (like H 1079)	No contact order for human trafficking and prostitution as condition of defendant's bail. Judiciary 10JAN17
WA	S5273	Fain	Implements the e-filing of court documents with dates for compliance. Law and Justice 18JAN17
WY	H147	Gray	Determines alcohol level at which DUI arrestees may be released subject to judicial officer's discretion of release conditions. Introduced 13JAN17



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