

Department of Planning and Budget 2015 Fiscal Impact Statement

1. Bill Number: HB2396ER

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Spruill

3. Committee: Passed Both Houses

4. Title: Surety on a bond; discharge from liability; magistrates.

5. Summary. Allows a bail bondsman or his licensed bail enforcement agent to request from the magistrate before which the recognizance was taken the issuance of a capias for the arrest of his principal, which capias may be executed by the bondsman, his agent, or a law-enforcement officer. Currently, a bondsman can request the issuance of a capias only from the court or clerk thereof. The bill also provides that if a magistrate issues a capias, he shall transmit a copy of the capias to the court before which such principal's appearance is required by the close of business on the next day that the court is open.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Final (see Item #8)

8. Fiscal Implications: According to the Office of the Executive Secretary of the Supreme Court (OES), this bill is not expected to have a material fiscal impact on the magistrate or court systems. The bill permits a bail bondsman to seek a capias for his principal from a magistrate, in addition to a judge or clerk.

9. Specific Agency or Political Subdivisions Affected: Magistrates, Courts

10. Technical Amendment Necessary: No

11. Other Comments: None

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