

Department of Planning and Budget

2019 Fiscal Impact Statement

1. Bill Number: HB2078

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|------------------------|--|-------------------------------------|------------------------------------|
| House of Origin | <input checked="" type="checkbox"/> Introduced | <input type="checkbox"/> Substitute | <input type="checkbox"/> Engrossed |
| Second House | <input type="checkbox"/> In Committee | <input type="checkbox"/> Substitute | <input type="checkbox"/> Enrolled |

2. Patron: Bell, Richard P.

3. Committee: House Committee for Courts of Justice

4. Title: Forfeiture on recognizance; bail bondsman; suspension of license.

5. Summary: Provides that if a forfeited recognizance is not paid within 150 days, the license of any bail bondsman on the bond shall be suspended by the Department of Criminal Justice Services (the Department) until the forfeiture is satisfied. This bill further provides that the court will then give notice to any surety company that guarantees the bond or any employer of the bail bondsman on the bond to pay the forfeited recognizance within 10 business days. If such forfeited recognizance is not paid at the end of the additional 10 business days, this bill provides that the Department shall suspend the licenses of such surety company and the agents thereof or such employer of the bail bondsman, or any of its agents thereof until the forfeited recognizance is satisfied. This bill also removes language requiring specified courts to hold a hearing when a person under recognizance fails to perform the condition of appearance and requires the court to record the default and to issue a notice of default within five days of the breach of the condition of appearance. This bill also requires a court to dismiss a default upon the filing of a motion by the party in default, in the event that a defendant or juvenile is brought before the court within 150 days of the finding of default.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Preliminary (see Item 8 below).

8. Fiscal Implications: The Department of Criminal Justice Services (DCJS), which is responsible for the regulation of bail bondsman, has existing administrative staff and procedures in place for the license suspension of a bail bondsman upon notification from a court. DCJS reports that while this bill may cause an increase in the workload of existing staff to suspend and subsequently reinstate the license of a bail bondman, it is expected that this increased workload can be absorbed within existing resources.

9. Specific Agency or Political Subdivisions Affected: Department of Criminal Justice Services.

10. Technical Amendment Necessary: No

11. Other Comments: None