

## Department of Planning and Budget 2020 Fiscal Impact Statement

**1. Bill Number:** HB136H1

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

**2. Patron:** Scott

**3. Committee:** Senate Committee on the Judiciary

**4. Title:** Bail bondsman; deposit for surrender of principal for reasons other than principal's failure to appear.

**5. Summary:** The proposed legislation provides that if a bail bondsman on a bond in a recognizance surrenders his principal for any reason other than the principal's failure to appear in any court, the bondsman shall deposit with the clerk of court or magistrate the greater of 10 percent of the amount of the bond or \$50, which shall be made at such time the bondsman makes application for a capias. Under current law, such deposit is made by a bail bondsman on a bond in recognizance if he surrenders his principal for any reason other than a summons to show cause issued by the court for which the principal is to appear. The bill also replaces "principal" with "payer" in specifying whom deposited funds are returned to if the court finds that the surrender of the principal by the bondsman was unreasonable. The proposed legislation also establishes that if the bondsman does not petition the court for the return of the deposited funds within 15 days from the surrender of the principal, the deposited funds shall be paid into the state treasury to be credited to the Literary Fund.

**6. Budget Amendment Necessary:** No.

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

**8. Fiscal Implications:** The proposed legislation establishes that if a bondsman does not petition a court for the return of deposited funds within 15 days from the surrender of the principal, the deposited funds are to be deposited into the Literary Fund. The amount to be deposited into the Literary Fund cannot be determined at this time.

**9. Specific Agency or Political Subdivisions Affected:** None.

**10. Technical Amendment Necessary:** No

**11. Other Comments:** None.