

## STATEMENT OF PURPOSE

### RS20226

This legislation would require bail agents to collect all of the premium on the surety bail bonds they write at the time the defendant is released from custody. Usually this premium is ten percent (10%) of the face amount of the bond, plus a \$35 agent's fee and a sheriff's fee. The legislation, however, does not prohibit third party financing of the premium. It simply prevents the defendant from putting bail agents in a bidding competition against each other to see who will obtain the defendant's release on the most lenient terms.

The effect of this change will be to (1) improve public safety by requiring an investment from the defendant concurrent with release from custody; (2) provide uniformity so the court and law enforcement will know when setting bail what will be required of the defendant seeking release; (3) require bail agents to compete on the basis of service as opposed to which bail agent can get a defendant released for the least up front expenditure; (4) improve the professionalism of bail agents by prohibiting the marketing message of "get out of jail free".

### FISCAL NOTE

There is no negative fiscal impact to state or local government.

#### **Contact:**

**Name:** C J Nemeth / David E. Kerrick  
**Office:** Professional Bail Agents of Idaho  
**Phone:** (208) 587-4242