

IN THE SENATE

SENATE BILL NO. 1325

BY JUDICIARY AND RULES COMMITTEE

AN ACT

1 RELATING TO THE IDAHO BAIL ACT; AMENDING SECTION 19-2911, IDAHO CODE, TO PRO-
2 VIDE CONDITIONS AND REQUIREMENTS RELATING TO THE RELEASE OF A DEFENDANT
3 UPON THE POSTING OF A BAIL BOND.
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5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 19-2911, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 19-2911. RELEASE OF DEFENDANT ON POSTING BAIL. Upon the posting of
9 ~~bail~~ a cash bond or property bond in the amount set by the court, the de-
10 fendant shall be released from the actual custody of the sheriff. Upon the
11 posting of a bail bond in the amount set by the court, the surety company,
12 through its licensed bail agents or employees, shall charge and collect the
13 premium for executing the bail bond before or at the time of the posting of
14 the bail bond. The defendant shall be released from the actual custody of the
15 sheriff only after the bail agent who executes the bail bond attaches a writ-
16 ten affidavit to the bond attesting that the full premium has been collected.
17 Nothing in this section shall preclude a person from obtaining premium fi-
18 nancing to facilitate the payment of the full bail bond premium, provided
19 that no bail agent or surety company shall have any financial affiliation
20 with or indemnify or receive any compensation from any premium financier.