

STATEMENT OF PURPOSE

RS21162

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 and/or cosigners concurrent with release from custody; (2) provide uniformity so the court and law enforcement will know when bail is set what will be required of the defendant seeking release; (3) restore the traditional practice of providing bail services.

FISCAL NOTE

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

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