

***Judiciary Committee***

***HB 1483***

***Title:*** *An act relating to encouraging court efficiency through cooperation between courts and bail bond agencies.*

***Brief Description:*** *Authorizing agreements to allow bail bond agencies to execute bench warrants.*

***Sponsors:*** *Representatives Carrell, Lambert, Crouse, Boldt and Pennington.*

***Brief Summary of Bill***

- *Authorizes courts of limited jurisdiction, upon the approval of the local legislative body, to enter into agreements with bail bond agencies to execute certain warrants.*

***Hearing Date:*** *2/15/01*

***Staff:*** *Trudes Hutcheson (786-7384).*

***Background:***

*Courts of limited jurisdiction are municipal and district courts and have jurisdiction over misdemeanor and gross misdemeanor offenses.*

*Statutes and court rules govern pretrial release of an accused. In most cases, a criminal defendant has a right to be released on bail or on his or her personal recognizance prior to trial. The court may impose certain conditions on the defendant's release, including the requirement that the defendant appear in court when necessary.*

*If the defendant fails to appear when required, the court may direct the clerk of the court to issue a bench warrant for the arrest of the defendant. A defendant who willfully fails to appear, as required by a condition of his release, may be guilty of the separate offense of bail jumping.— In addition, the defendant released on bail forfeits any security that was given or pledged for his or her release.*

*Bail bond agencies are businesses that sell and issue surety bail bonds or provide security*

*in the form of personal or real property to insure the appearance of a criminal defendant in court. Bail bond agencies are required to be licensed by the Department of Licensing.*

***Summary of Bill:***

*Where approved by the local legislative body, courts of limited jurisdiction may enter into agreements with licensed bail bond agencies for the purposes of executing bench warrants for an accused's failure to appear or violation of a condition of release.*

*When the accused is released on bail or on personal recognizance pending trial, the court using a bail bond agency must advise the accused in writing that the accused's failure to appear or violation of the conditions of release may result in a warrant for the accused's arrest and that the warrant may be executed by a bail bond agency.*

*The court must also inform the accused that he or she will be financially liable for reimbursing the costs to the bail bond agency. Costs of executing a warrant by a bail bond agency are limited to actual expenses incurred by the bail bond agency.*

***Appropriation: None.***

***Fiscal Note: Not Requested.***

***Effective Date: Ninety days after adjournment of session in which bill is passed.***