

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003

A Bill

HOUSE BILL 1073

4
5 By: Representative Verkamp
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For An Act To Be Entitled

8
9 AN ACT TO AMEND ARKANSAS CODE § 16-84-201(d), (e)
10 AND (f) TO ALLOW COURTS TO FORFEIT BAIL BONDS
11 WITHOUT FURTHER NOTICE OR HEARING; AND FOR OTHER
12 PURPOSES.
13

Subtitle

14
15 AN ACT TO AMEND ARKANSAS CODE
16 § 16-84- 201 (d), (e) AND (f) TO ALLOW
17 COURTS TO FORFEIT BAIL BONDS WITHOUT
18 FURTHER NOTICE OR HEARING.
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 16-84-201(d), (e) and (f), concerning bail
23 bond forfeitures, are amended to read as follows:

24 (d) If, after one hundred twenty (120) days, the defendant has not
25 surrendered or been arrested, ~~prior to judgment against the surety~~, the bail
26 bond or money deposited in lieu of bail may be forfeited without further
27 notice or hearing.

28 (e) If, ~~before judgment is entered against the surety~~ within one
29 hundred twenty (120) days after the date of receipt of written notification
30 to the surety of the defendant's failure to appear, the defendant is located
31 in another state, and the location is known, the appropriate law enforcement
32 officers shall cause the arrest of the defendant and the surety shall be
33 liable for the cost of returning the defendant to the court in an amount not
34 to exceed the face value of the bail bond.

35 (f)(1) In determining the extent of liability of the surety on a bond
36 forfeiture, the court, without further notice or hearing, may take into



1 consideration the expenses incurred by the surety in attempting to locate the
2 defendant and may allow the surety credit for the expenses incurred.

3 (2) To be considered by the court, information concerning
4 expenses incurred in attempting to locate the defendant should be submitted
5 to the court by the surety no later than the one hundred twentieth (120th)
6 day after the date of receipt of written notification to the surety of the
7 defendant's failure to appear.

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