

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Senator Everett**

A Bill

ACT 470 OF 1995
SENATE BILL 63

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE § 16-84-105 REGARDING THE
9 RESPONSIBILITY OF AN OFFICER TAKING BOND FROM SOMEONE
10 OTHER THAN A PROFESSIONAL BAIL BONDSMAN; AND FOR OTHER
11 PURPOSES."

Subtitle

14 "TO AMEND PORTIONS OF LAW REGARDING THE
15 RESPONSIBILITIES OF OFFICERS TAKING BOND
16 FROM PERSONS NOT PROFESSIONAL BAIL
17 BONDSMEN."

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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. Arkansas Code § 16-84-105 is amended to read as follows:

22 "16-84-105. *Responsibility of officer taking bail.*

23 (a) *The officer who takes bail shall be officially responsible for the*
24 *sufficiency of the surety if taken other than through a professional bail*
25 *bondsman.*

26 (b) *If the surety is not a professional bail bondsman, and the*
27 *defendant has not yet appeared before a judicial officer pursuant to Rule 9 of*
28 *the Arkansas Rules for Criminal Procedure, the officer shall file a statement*
29 *with the court describing the property of the surety upon which the*
30 *sufficiency of the surety is based. The description of the property shall*
31 *include the value of the property. The statement shall also be signed by the*
32 *sheriff or chief of police in the jurisdiction where the defendant is charged.*

33 (c) *The officer who takes bail shall give a prenumbered written receipt*
34 *for the collateral. The receipt shall give in detail a full account of the*
35 *collateral received.*

36 (d) *An officer who takes bail shall not be liable for any bond ordered*

1 by a judicial officer under Rule 9.2 (b) (i) or (ii) of the Arkansas Rules of
2 Criminal Procedure."

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4 SECTION 2. All provisions of this act of general and permanent nature
5 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
6 Revision Commission shall incorporate the same in the Code.

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8 SECTION 3. If any provisions of this act or the application thereof to
9 any person or circumstance is held invalid, the invalidity shall not affect
10 other provisions or applications of the act which can be given effect without
11 the invalid provisions or application, and to this end the provisions of this
12 act are declared to be severable.

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14 SECTION 4. All laws and parts of laws in conflict with this act are
15 hereby repealed.

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/s/Everett

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APPROVED: 2-27-95

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