

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

HOUSE BILL 2041

4
5 By: Representative Rodgers

For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 16-84-201 TO PROVIDE THAT
10 WHEN A DEFENDANT ON BAIL FAILS TO APPEAR THAT THE COURT
11 SHALL ORDER THE BAIL BONDSMAN TO APPEAR IN LIEU OF THE
12 SURETY; AND FOR OTHER PURPOSES."

Subtitle

15 "TO PROVIDE THAT WHEN A DEFENDANT ON
16 BAIL FAILS TO APPEAR THAT THE COURT
17 SHALL ORDER THE BAIL BONDSMAN TO APPEAR
18 IN LIEU OF SURETY"

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

21 SECTION 1. Arkansas Code 16-84-201(a)(1) is amended to read as follows:

22 "(a)(1)(A) If the defendant fails to appear for trial or judgment, or
23 at any other time when his presence in court may be lawfully required, or to
24 surrender himself in execution of the judgment, the court may direct the fact
25 to be entered on the minutes, and shall promptly issue an order requiring the
26 surety or bail bondsman to appear, on a date set by the court not less than
27 ninety (90) days nor more than one hundred twenty (120) days after the
28 issuance of the order, to show cause why the sum specified in the bail bond or
29 the money deposited in lieu of bail should not be forfeited.

30 (B) The one hundred twenty-day period begins to run from
31 the date notice is sent by certified mail to the surety company at the address
32 shown on the bond, whether or not it is received by the surety or from the
33 date of actual delivery of notice to the bail bondsman."

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35 SECTION 2. All provisions of this act of a general and permanent nature
36 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code

1 Revision Commission shall incorporate the same in the Code.

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3 SECTION 3. If any provision of this act or the application thereof to
4 any person or circumstance is held invalid, such invalidity shall not affect
5 other provisions or applications of the act which can be given effect without
6 the invalid provision or application, and to this end the provisions of this
7 act are declared to be severable.

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10 hereby repealed.

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