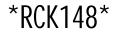
Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

State of Arkansas	As Engrossed: H1/22/99 S2/26/99 S3/3/99		
82nd General Assembly	A Bill		
Regular Session, 1999		HOUSE BILL 1163	3
By: Representative Vess			
	For An Act To Be Entitled		
"AN ACT	TO AMEND ARKANSAS CODE § 16-84-114 TO		
DESI GNAT	E WHO MAY APPREHEND A DEFENDANT ON BAIL;	AND	
FOR OTHE	R PURPOSES. "		
	Subtitle		
''TC) DESIGNATE WHO MAY APPREHEND A		
DEF	ENDANT ON BAIL."		
BE IT ENACTED BY THE	GENERAL ASSEMBLY OF THE STATE OF ARKANS	AS :	
SECTION 1. Ar	kansas Code 16-84-114 is amended to read	as follows:	
"16-84-114. Su	rrender of defendant.		
(a)(1) At any	time before the forfeiture of their bond	d, the surety may	
surrender the defend	ant, or the defendant may surrender himse	elf, to the jaile	r
of the county in whi	ch the offense was committed.		
(2) How	ever, the surrender must be accompanied I	oy a certified	
copy of the bail bon	d to be delivered to the jailer, who mus [.]	t detain the	
defendant in custody	thereon as upon a commitment and give a	written	
acknowledgment of th	e surrender.		
(3) The	surety shall thereupon be exonerated.		
(b) <u>(1)</u> For th	e purpose of surrendering the defendant,	the surety may	
obtain from the offi	cer having in his custody the bail bond o	or recognizance a	
certified copy there	of, and thereupon at any place in the sta	ate may arrest the	е
defendant , or by his	written endorsement thereon, authorize a	another person to	
do so provided that	person is:		
(1) A I	icensed bail bondsman; or		
(2) A I	icensed_private_investigator;_or		
	82nd General Assembly Regular Session, 1999 By: Representative Vess "AN ACT DESIGNAT FOR OTHE "TO DESIGNAT FOR OTHE "TO DEF BE IT ENACTED BY THE SECTION 1. Ar "16-84-114. Su (a) (1) At any surrender the defend of the county in whi (2) How copy of the bail bon defendant in custody acknowl edgment of th (3) The (b) (1) For th obtain from the offi certified copy there defendant, or by his do so provided that (1) A I	A Bill Regular Session, 1999 By: Representative Vess For An Act To Be Entitled "AN ACT TO AMEND ARKANSAS CODE § 16-84-114 TO DESI GNATE WHO MAY APPREHEND A DEFENDANT ON BAIL; FOR OTHER PURPOSES." Subtite "TO DESI GNATE WHO MAY APPREHEND A DEFENDANT ON BAIL." BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANS/ SECTION 1. Arkansas Code 16-84-114 is amended to read "16-84-114. Surrender of defendant. (a) (1) At any time before the forfeiture of their bond surrender the defendant, or the defendant may surrender himse of the county in which the offense was committed. (2) However, the surrender must be accompanied to copy of the bail bond to be delivered to the jailer, who must defendant in custody thereon as upon a commitment and give a acknowl edgment of the surrender. (3) The surety shall thereupon be exonerated. (b) (1) For the purpose of surrendering the defendant, obtain from the officer having in his custody the bail bond to	A Bill Regular Session, 1999 HOUSE BILL 116 By: Representative Vess For An Act To Be Entitled "AN ACT TO AMEND ARKANSAS CODE § 16-84-114 TO DESIGNATE WHO MAY APPREHEND A DEFENDANT ON BAIL; AND FOR OTHER PURPOSES." ENDITIE TO DESIGNATE WHO MAY APPREHEND A DEFENDANT ON BAIL." BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS: SECTION 1. Arkansas Code 16-84-114 is amended to read as follows: "16-84-114. Surrender of defendant. (a)(1) At any time before the forfeiture of their bond, the surety may surrender the defendant, or the defendant may surrender himself, to the jaile of the county in which the offense was committed. (2) However, the surrender must be accompanied by a certified copy of the bail bond to be delivered to the jailer, who must detain the defendant in custody thereon as upon a commitment and give a written acknowledgment of the surrender. (b)(1) For the purpose of surrendering the defendant, the surety may obtain from the officer having in his custody the bail bond or recognizance a certified copy thereof, and thereupon at any place in the state may arrest th defendant, or by his written endorsement thereon, authorize another person to a so provided that person is: (1) A licensed bail bondsman; or



HB1163

1	(3) A certified law enforcement officer; or
2	(4) An individual with a minimum of two (2) years of actual work
3	experience as a bail bondsman, private investigator, or law enforcement
4	officer and who is at least twenty-one (21) years of age and who has no prior
5	felony convictions or convictions for any offense involving moral turpitude or
6	vi ol ence.
7	(2) No person other than an Arkansas licensed private
8	investigator or a certified law enforcement officer or a person acting under
9	the direct supervision of an Arkansas licensed private investigator or
10	certified law enforcement officer shall be authorized to apprehend, detain, or
11	arrest a defendant on a bail bond, wherever issued, unless that person is
12	licensed as a bail bond agent by the state where the bail bond was written.
13	(3) No person shall represent himself or herself to be a bail
14	enforcement agent, bounty hunter, or similar title in this state.
15	(4) Any bail bond agent attempting to apprehend a defendant shall
16	notify the local law enforcement agency or agencies of his presence and
17	provide them with the defendant's name, charges and suspected location.
18	(5) Any person who violates any provision of this section shall be
19	guilty of a Class D felony.
20	(c) The surety may arrest the defendant without the certified copy.
21	(d) If the surety has good cause for surrendering the defendant and has
22	complied with the provisions herein in surrendering the defendant, there shall
23	be no requirement that the surety return part or all of the premium paid for
24	the bail bond."
25	
26	SECTION 2. All provisions of this act of a general and permanent nature
27	are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
28	Revision Commission shall incorporate the same in the Code.
29	
30	SECTION 3. If any provision of this act or the application thereof to
31	any person or circumstance is held invalid, such invalidity shall not affect
32	other provisions or applications of the act which can be given effect without
33	the invalid provision or application, and to this end the provisions of this
34	act are declared to be severable.
35	
36	SECTION 4. All laws and parts of laws in conflict with this act are

2

hereby repealed. /s/ Vess