

State of Arkansas

As Engrossed: H3/15/99

82nd General Assembly

A Bill

Regular Session, 1999

HOUSE BILL 2127

By: Representative Bennett

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE 16-84-201 TO PROVIDE
THAT NOTICE MAY BE PROVIDED TO THE LOCAL AGENT OF THE
BAIL BOND COMPANY AS WELL AS THE CORPORATE AGENT; TO
PROVIDE THAT NOTICE MAY BE SENT BY ANY METHOD; AND FOR
OTHER PURPOSES. "

Subtitle

"TO PROVIDE THAT NOTICE MAY BE PROVIDED
TO THE LOCAL AGENT OF THE BAIL BOND
COMPANY AS WELL AS THE CORPORATE AGENT;
TO PROVIDE THAT NOTICE MAY BE SENT BY
ANY METHOD. "

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

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

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

(B) The one hundred twenty-day period begins to run from
the date notice is sent given by certified mail any method authorized by Rule
4 of the Arkansas Rules of Civil Procedure to the surety company at the

1 address shown on the bond, whether or not it is received by the surety or the
2 local agent of the surety company.

3 (C) A finding by a circuit court that proper notice has been provided
4 to the surety or the local agent of the surety company shall not be reviewable
5 by the Bail Bond Commission or its agents.

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7 SECTION 2. All provisions of this act of a general and permanent nature
8 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
9 Revision Commission shall incorporate the same in the Code.

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

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

19 /s/ Bennett
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