

Legislative Analysis



DEFAULT ON BAIL BOND: EXTEND NOTIFICATION PERIOD

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House Bill 5846
Sponsor: Rep. John Stakoe
Committee: Criminal Justice

Complete to 5-28-04

A SUMMARY OF HOUSE BILL 5846 AS INTRODUCED 5-4-04

Currently, after a default (failure of an accused to appear) on a recognizance is entered, a court can, upon proper motion by the prosecution, give each surety (the person putting up the bail or bond money) immediate notice -- not to exceed seven days after the date of the failure to appear. The surety must then be given an opportunity to appear before the court and show cause why judgment should not be entered against him or her for the full amount of the recognizance.

House Bill 5846 would amend the Code of Criminal Procedure to extend the time period of the notice to 14 days.

MCL 765.28

FISCAL IMPACT:

The bill would have no significant fiscal impact.

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