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HOUSE OF REPRESENTATIVES

141st GENERAL ASSEMBLY

HOUSE BILL NO. 532

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO BAIL BONDS.

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

- 1 Section 1. Amend §2113, Title 11 of the Delaware Code by inserting a new subsection (b) to read as follows and
2 by relettering the remaining subsections accordingly:
- 3 "(b) If the accused fails to appear on the initially scheduled court date, as required by the recognizance
4 or bond, when the accused finally appears before the court, for each day after the accused's initially scheduled
5 date that the accused is late, the person who has furnished the secured bond on behalf of the accused shall pay a
6 nonrefundable fee of \$1,000."

SYNOPSIS

Under current law and practice, an accused has the right to tender a secured bond promising to appear in court at a later, specified date, in exchange for the court releasing the accused. Often the accused fails to appear in court on the specified date. If this occurs, the accused sometimes has a several day period to appear before an arrest warrant is issued. If the accused appears before the arrest warrant is issued, the court will reschedule the accused's initial court date and perhaps increase the amount of bail set before releasing the accused again. This means that all of the police officers who initially showed up for the accused's trial must return for yet another day in court. This delay costs the courts and the taxpayers significant administrative costs and is a burden to our system of justice.

This Act recognizes the costs imposed upon our judicial system for an accused's failure to show for court, and imposes a fee upon the bail bondsmen of \$1,000 per day that the accused is late for the initially scheduled court date.