

House Bill 592

By: Representatives Maxwell of the 17th, Cox of the 102nd, Hembree of the 67th, Heckstall of the 62nd, Murphy of the 23rd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 17-6-54 of the Official Code of Georgia Annotated, relating to the
2 restriction on bondsmen's compensation after becoming the surety, so as to provide further
3 definition of the term compensation; to provide for related matters; to repeal conflicting laws;
4 and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Code Section 17-6-54 of the Official Code of Georgia Annotated, relating to the restriction
8 on bondsmen's compensation after becoming the surety, is amended by striking subsection
9 (a) and inserting in lieu thereof the following:

10 "(a) No professional bondsman or his or her agents or employees who receive
11 compensation for becoming the surety on a criminal bond shall thereafter receive any other
12 sum in the case; provided, however, the bondsman may accept collateral or require an
13 indemnification agreement from the principal or a third party without violating the terms
14 of this subsection or Code Section 17-6-30. If the surety surrenders a defendant into the
15 custody of the court, the sheriff, or another law enforcement officer in the jurisdiction
16 where the bond was made before final disposition of the case, the surety is required to
17 return to the principal the compensation received for signing the bond as surety if such
18 surrender of the defendant is for reasons other than:

- 19 (1) The defendant's arrest for a crime other than a traffic violation or misdemeanor;
20 (2) The defendant's cosigner attests in writing the desire to be released from the bond;
21 (3) The defendant fails to provide to the court and the surety the defendant's change of
22 address;
23 (4) The defendant fails to pay any fee due to the surety after being notified by certified
24 mail or statutory overnight delivery that the same is past due;
25 (5) The defendant fails to notify the court and the surety upon leaving the jurisdiction of
26 the court; or

1 (6) The defendant provides false information to the surety."

2 **SECTION 2.**

3 All laws and parts of laws in conflict with this Act are repealed.