

House Bill 147

By: Representatives Talton of the 145th, O'Neal of the 146th, Randall of the 138th, Lucas of the 139th, and Everson of the 106th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 6 of Title 17 of the Official Code of Georgia Annotated,
2 relating to proceedings for forfeiture of bonds or recognizances, so as to relieve a surety from
3 liability under certain circumstances; to provide for related matters; to repeal conflicting
4 laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Article 3 of Chapter 6 of Title 17 of the Official Code of Georgia Annotated, relating to
8 proceedings for forfeiture of bonds or recognizances, is amended by revising subsection (a)
9 of Code Section 17-6-71, relating to execution hearing on failure of principal to appear, as
10 follows:

11 "(a) The judge shall, at the end of the court day, upon the failure of the principal to appear,
12 forfeit the bond and order an execution hearing not sooner than 120 days but not later than
13 150 days after such failure to appear. Notice of the execution hearing shall be served
14 within ten days of such failure to appear by certified mail or statutory overnight delivery
15 to the surety at the address listed on the bond or by personal service to the surety within ten
16 days of such failure to appear at its home office or to its designated registered agent.
17 Service shall be considered complete upon the mailing of such certified notice. If notice
18 is not served as specified in this subsection at any point in the proceeding, the surety shall
19 thereafter be relieved of liability on the appearance bond."

20 **SECTION 2.**

21 All laws and parts of laws in conflict with this Act are repealed.