

The House Committee on Judiciary Non-civil offers the following substitute to HB 147:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 6 of Title 17 of the Official Code of Georgia Annotated, relating to bonds
2 and recognizances, so as to provide that professional bondsmen shall provide clerks of court
3 with contact information for purposes of receiving certain notices; to provide that clerks of
4 court shall maintain such information; to relieve a surety from liability under certain
5 circumstances; to provide for related matters; to provide an effective date; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 6 of Title 17 of the Official Code of Georgia Annotated, relating to bonds and
10 recognizances, is amended by revising Code Section 17-6-50, relating to persons deemed
11 professional bondsmen and criminal background investigation, by adding a new subsection
12 (d) to read as follows:

13 "(d) It shall be the duty of each professional bondsman approved by the sheriff in
14 accordance with this part to provide the clerk of each court before which one or more of
15 such professional bondsman's principals are required to appear with the business name,
16 complete address, telephone number, and e-mail address of the chief operating officer or
17 his or her designee of such professional bondsman for the purpose of receiving any notices
18 that may be sent pursuant to Code Section 17-6-71. Each professional bondsman shall
19 have the duty to keep such information current and accurate. It shall be the duty of each
20 clerk of court to keep, maintain, and update such information as provided by a professional
21 bondsman."

22 **SECTION 2.**

23 Said chapter is further amended by revising subsection (a) of Code Section 17-6-71, relating
24 to execution hearing on failure of principal to appear, as follows:

25 "(a) The judge shall, at the end of the court day, upon the failure of the principal to appear,
26 forfeit the bond and order an execution hearing not sooner than 120 days but not later than

27 150 days after such failure to appear. Notice of the execution hearing shall be served by
28 the clerk of the court in which the bond forfeiture occurred within ten days of such failure
29 to appear by certified mail or ~~statutory overnight delivery~~ by electronic means as provided
30 in Code Section 17-6-50 to the surety at the address listed on the bond or by personal
31 service to the surety within ten days of such failure to appear at its home office or to its
32 designated registered agent. Service shall be considered complete upon the mailing of such
33 certified notice. Such ten-day notice shall be adhered to strictly. If notice of the execution
34 hearing is not served as specified in this subsection, the surety shall be relieved of liability
35 on the appearance bond."

36 **SECTION 3.**

37 This Act shall become effective upon its approval by the Governor or upon its becoming law
38 without such approval.

39 **SECTION 4.**

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