

HB1226_L.024

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on State, Veterans, & Military Affairs.

HB19-1226 be amended as follows:

1 Amend reengrossed bill, page 12, after line 15, insert:

2 "(5) UNLESS THE DISTRICT ATTORNEY CONSENTS OR UNLESS THE
3 COURT IMPOSES CERTAIN ADDITIONAL INDIVIDUALIZED CONDITIONS OF
4 RELEASE AS DESCRIBED IN THIS SECTION, A PERSON SHALL NOT BE
5 RELEASED ON AN UNSECURED PERSONAL RECOGNIZANCE BOND PURSUANT
6 TO SUBSECTION (4)(a) OF THIS SECTION IF ONE OF THE FOLLOWING
7 CIRCUMSTANCES EXIST:

8 (a) THE PERSON IS PRESENTLY FREE ON ANOTHER BOND OF ANY
9 KIND IN ANOTHER CRIMINAL ACTION INVOLVING A FELONY OR A CLASS 1
10 MISDEMEANOR;

11 (b) THE PERSON HAS A RECORD OF CONVICTION FOR A CLASS 1
12 MISDEMEANOR WITHIN TWO YEARS PRIOR TO THE BAIL HEARING OR A
13 CONVICTION FOR A FELONY WITHIN FIVE YEARS PRIOR TO THE BAIL
14 HEARING; OR

15 (c) THE PERSON HAS WILFULLY FAILED TO APPEAR ON BOND IN ANY
16 CASE INVOLVING A FELONY OR A CLASS 1 MISDEMEANOR CHARGE IN THE
17 PRECEDING FIVE YEARS.

18 (6) A PERSON MAY NOT BE RELEASED ON AN UNSPECIFIED
19 PERSONAL RECOGNIZANCE BOND IF, AT THE TIME OF SUCH APPLICATION,
20 THE PERSON IS PRESENTLY ON RELEASE UNDER A SURETY BOND FOR A
21 FELONY OR CLASS 1 MISDEMEANOR CHARGE UNLESS THE SURETY ON THE
22 BOND IS NOTIFIED AND AFFORDED AN OPPORTUNITY TO SURRENDER THE
23 PERSON INTO CUSTODY ON SUCH TERMS AS THE COURT DEEMS JUST
24 PURSUANT TO THE PROVISIONS OF THIS SECTION."

25 Renumber succeeding subsections accordingly.

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