



# House of Representatives

General Assembly

**File No. 170**

February Session, 2012

Substitute House Bill No. 5093

*House of Representatives, March 29, 2012*

The Committee on Public Safety and Security reported through REP. DARGAN of the 115th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## ***AN ACT CONCERNING EXTRADITION OF FUGITIVES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 54-65c of the 2012 supplement to the general  
2 statutes is repealed and the following is substituted in lieu thereof  
3 (*Effective October 1, 2012*):

4 A court shall vacate an order forfeiting a bail bond and release the  
5 professional bondsman, as defined in section 29-144, the surety bail  
6 bond agent and the insurer, as both terms are defined in section 38a-  
7 660, if (1) the principal on the bail bond is detained or incarcerated in  
8 another state, territory or country, (2) the professional bondsman, the  
9 surety bail bond agent or the insurer provides proof of such detention  
10 or incarceration to the court and the state's attorney prosecuting the  
11 case, and (3) (A) the state's attorney prosecuting the case declines to  
12 seek extradition of the principal, or (B) the state's attorney prosecuting  
13 the case decides to seek extradition of the principal and the  
14 professional bondsman, surety bail bond agent or insurer provides

15 proof to the court that such bondsman, agent or insurer has paid to the  
16 Division of Criminal Justice the costs it will incur in extraditing the  
17 principal to the state.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2012	54-65c

**PS**      *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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**OFA Fiscal Note**

**State Impact:**

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 13 \$</b>	<b>FY 14 \$</b>
Criminal Justice, Div.	GF - Savings	Less than \$150,000	Less than \$150,000

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

This bill results in savings of less than \$150,000 each year to the Division of Criminal Justice by requiring bail agents to pay for the expenses associated with the extradition of fugitives. The savings from this bill are associated with motor vehicle fuel use during fugitive transportation.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

Sources: Division of Criminal Justice, FY 11 Expenditures

**OLR Bill Analysis****sHB 5093*****AN ACT CONCERNING EXTRADITION OF FUGITIVES.*****SUMMARY:**

By law, the court must vacate an order forfeiting a bond and release the professional bondsman, surety bail bond agent, and insurer when the (1) principal is detained or incarcerated out of state; (2) professional bondsman, agent, or insurer provides the court and prosecutor with proof of detention or incarceration; and (3) prosecutor declines to seek extradition.

If the prosecutor decides to seek extradition, this bill requires the court to vacate the order but only if the bondsman, bail bond agent, or insurer provides proof to the court that he or she has paid to the Division of Criminal Justice (DCJ) the costs it will incur in extraditing the principal. Currently, DCJ pays the costs of transporting fugitives back to the state.

EFFECTIVE DATE: October 1, 2012

**BACKGROUND*****Surety Bail Bond Agents and Professional Bondsmen***

A surety bail bond agent, through a contract with an insurer, sells bail bonds in criminal cases and is regulated by the insurance commissioner. A professional bondsman puts up personal assets as bond security and is regulated by the public safety commissioner.

**COMMITTEE ACTION**

Public Safety and Security Committee

Joint Favorable Substitute

Yea 14 Nay 9 (03/15/2012)