



House Bill No. 5477

Public Act No. 18-127

AN ACT CONCERNING STATE V. MCCAHERILL.

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

Section 1. Section 54-63f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

A person who has been convicted of any offense, except a violation of section 53a-54a, 53a-54b, 53a-54c or 53a-54d, [or any offense involving the use, attempted use or threatened use of physical force against another person,] and is either awaiting sentence or has given oral or written notice of such person's intention to appeal or file a petition for certification or a writ of certiorari may be released pending final disposition of the case, unless the court finds custody to be necessary to provide reasonable assurance of such person's appearance in court, upon the first of the following conditions of release found sufficient by the court to provide such assurance: (1) Upon such person's execution of a written promise to appear, (2) upon such person's execution of a bond without surety in no greater amount than necessary, (3) upon such person's execution of a bond with surety in no greater amount than necessary, (4) upon such person's deposit, with the clerk of the court having jurisdiction of the offense with which such person stands convicted or any assistant clerk of such court who is bonded in the same manner as the clerk or any person or officer

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authorized to accept bail, a sum of money equal to the amount called for by the bond required by the court, or (5) upon such person's pledge of real property, the equity of which is equal to the amount called for by the bond required by the court, provided the person pledging such property is the owner of such property. When cash bail is offered, such bond shall be executed and the money shall be received in lieu of a surety or sureties upon such bond. Such cash bail shall be retained by the clerk of such court until a final order of the court disposing of the same is passed, provided, if such bond is forfeited, the clerk of such court shall pay the money to the payee named therein, according to the terms and conditions of the bond.

Approved June 11, 2018