

HOUSE BILL 1128
By Windle

AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 11, relative to bail.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 11, Part 1, is amended by adding the following as a new, appropriately designated section:

40-11-1__.

(a) Notwithstanding any provision of law to the contrary, a court in its discretion may allow payment of cash bail security by the defendant in the amount of ten percent (10%) of the total bail amount with a signed agreement that the defendant pay the full bail amount if such defendant fails to appear in court as required. Failure to appear as required shall result in forfeiture of any cash deposit.

(b) If the court imposes any monetary obligation judgment against the defendant for payment of fine, restitution, attorney's fees or court costs, then the deposit by the defendant shall be applied to payment of the judgment.

(c) If the case is dismissed, the cash deposit shall be returned to the defendant or such other person posting the deposit within ten (10) days from the date of dismissal.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.