

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

April 21, 2015
Date

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

HB15-1356 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 6, after line 5 insert:

2 "SECTION 3. In Colorado Revised Statutes, 16-4-110, **add** (1)
3 (f) as follows:

4 **16-4-110. Exoneration from bond liability.** (1) Any person
5 executing a bail bond as principal or as surety shall be exonerated as
6 follows:

7 (f) WHEN THE SURETY APPEARS AND PROVIDES SATISFACTORY
8 EVIDENCE TO THE COURT THAT THE DEFENDANT HAS BEEN REMOVED
9 PURSUANT TO ACTION BY A FEDERAL IMMIGRATION AGENCY WHILE ON
10 BOND OR THAT THE DEFENDANT HAS FAILED TO APPEAR DUE TO BEING IN
11 THE CUSTODY OF THE UNITED STATES RELATED TO THEIR IMMIGRATION
12 STATUS.

13 **SECTION 4.** In Colorado Revised Statutes, 16-4-114, **add** (5) (b)
14 (V) (D) as follows:

15 **16-4-114. Enforcement procedures for compensated sureties**
16 **- definitions.** (5) Liability of bond obligors on bonds issued by
17 compensated sureties may be enforced, without the necessity of an
18 independent action, as follows:

19 (b) (V) (D) A COMPENSATED SURETY SHALL BE EXONERATED
20 FROM LIABILITY UPON THE BOND WHEN THE SURETY PROVIDES
21 SATISFACTORY EVIDENCE TO THE COURT THAT THE DEFENDANT HAS BEEN
22 REMOVED PURSUANT TO ACTION BY A FEDERAL IMMIGRATION AGENCY
23 WHILE ON BOND OR THAT THE DEFENDANT HAS FAILED TO APPEAR DUE TO

- 1 BEING IN THE CUSTODY OF THE UNITED STATES RELATED TO THEIR
- 2 IMMIGRATION STATUS.".

- 3 Renumber succeeding sections accordingly.

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