

HOUSE BILL NO. 1415
with Senate AmendmentsFifty-eighth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1415

Introduced by

Representatives Maragos, Kretschmar

1 A BILL for an Act to amend and reenact section 26.1-26.6-09 of the North Dakota Century
2 Code, relating to the return of a forfeiture to a bondsman.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 26.1-26.6-09 of the North Dakota Century Code
5 is amended and reenacted as follows:

6 **26.1-26.6-09. Failure to appear.** If a defendant fails to appear for a scheduled court
7 appearance, the clerk of court ~~will~~ shall notify the bondsman. If the bondsman returns the
8 defendant to the jurisdiction of the court, the bondsman may petition the court for a return of the
9 forfeiture. If the bondsman returns the defendant to the jurisdiction of the court within six
10 months of receiving notice of the failure to appear, the court shall return the forfeiture upon
11 petition by the bondsman, less five percent for court costs. If the bondsman returns the
12 defendant to the jurisdiction of the court beyond six months of receiving notice of the failure to
13 appear, the court may return the forfeiture upon receipt of a petition from the bondsman, less
14 five percent for court costs.