

**ADOPTED**

Senators Stone of the 23rd and Shafer of the 48th offered the following amendment:

1 *Amend the Senate Judiciary, Non-civil Committee substitute to SB 225 (LC 29 5597ERS) by*  
 2 *inserting after the first semicolon on line 3 the following:*

3 to change certain provisions relating to remission of forfeiture;

4 *By deleting "Code Section" on line 8.*

5 *By revising lines 14 and 15 as follows:*

6 principal on the bond was prevented from attending ~~by some~~ court due to a mental or  
 7 physical disability or the principal on the bond was receiving inpatient treatment as  
 8 involuntary treatment, as such terms are defined in Code Section 37-3-1.

9 *By revising line 53 as follows:*

10 (d) In cases in which ~~paragraph (3) of this subsection~~ (e) of this Code section is not  
 11 applicable, on application filed

12 *By revising lines 66 through 74 as follows:*

13 before the court that has jurisdiction of the bond within such 120 day period. Should the  
 14 surety, within two years of the principal's failure to appear, locate the principal in the  
 15 custody of the sheriff in the jurisdiction where the bond was made or in another  
 16 jurisdiction causing the return of the principal to the jurisdiction where the bond was  
 17 made, apprehend, surrender, or produce the principal, if the apprehension or surrender of  
 18 the principal is substantially procured or caused by the surety, or if the location of the  
 19 principal by the surety causes the adjudication of the principal in the jurisdiction in which  
 20 the bond was made, the surety shall be entitled to a refund of 50 percent of the bond  
 21 amount. The

22 *By inserting "or" at the end of line 76.*

23 *By replacing "; or" with "~~;~~ or." at the end of line 78.*

24 *By revising line 79 as follows:*

25 ~~(3)~~(e)(1) If, within 120 days ~~after~~ from payment of the judgment, the surety surrenders  
 26 the

27 *By deleting the quotation mark at the end of line 89 and inserting between lines 89 and 90*  
28 *the following:*

29 (2)(A) The court shall direct that the judgment be marked satisfied and that the writ of  
30 fieri facias be canceled, if within 120 days from payment of the judgement, the surety:

31 (i) Tenders an amount equal to 5 percent of the face amount of the bond and all costs  
32 to the sheriff; and

33 (ii) Provides, in writing, the court, the prosecuting attorney, or the sheriff of the  
34 county with jurisdiction of the bond with competent evidence of the principal's  
35 location in another jurisdiction within the United States and states that it will provide  
36 for the reasonable remuneration for the rendition of the principal, as estimated by the  
37 sheriff; and

38 (B) The prosecuting attorney or sheriff of the county with jurisdiction of the bond:

39 (i) Declines to authorize or facilitate extradition; and

40 (ii) Fails to enter the appropriate extradition approval code into the computerized  
41 files maintained by the Federal Bureau of Investigation National Crime Information  
42 Center therefore indicating an unwillingness to extradite the principal."