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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 583

02/01/2021

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The bill was read for the first time and referred to the Committee on Public Safety and Criminal Justice Reform Finance and Policy

1.1 A bill for an act  
1.2 relating to public safety; regulating charitable bail organizations; proposing coding  
1.3 for new law in Minnesota Statutes, chapter 629.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. [629.705] CHARITABLE BAIL ORGANIZATIONS; REQUIREMENTS;  
1.6 LIMITATIONS.

1.7 (a) As used in this section, "charitable bail organization" means an organization that:

1.8 (1) solicits or accepts donations from the public; and

1.9 (2) agrees to deposit money for bail for another person.

1.10 (b) To legally operate as a charitable bail organization, the organization must:

1.11 (1) except as provided in paragraph (e), comply fully with rule 702 of the Minnesota

1.12 General Rules of Practice for the district courts and all related court policies and procedures;

1.13 (2) be a nonprofit charitable organization under section 501(c)(3) of the Internal Revenue

1.14 Code;

1.15 (3) be currently registered to do business in Minnesota; and

1.16 (4) be located in Minnesota.

1.17 (c) A charitable bail organization may not:

1.18 (1) deposit cash bail for a felony offense;

1.19 (2) execute a surety bond for a defendant;

1.20 (3) charge a premium or receive any consideration for its actions;

- 2.1 (4) deposit cash bail in excess of \$2,000;
- 2.2 (5) deposit bail for a defendant who is not indigent; or
- 2.3 (6) solicit or accept donations from the public before complying with paragraph (b).
- 2.4 (d) Paragraph (b), clause (1), applies only to charitable bail organizations that post bail  
2.5 for more than two individuals within a 180-day period.
- 2.6 (e) The state court administrator may waive the requirement regarding licensure by the  
2.7 Department of Commerce in rule 702 of the Minnesota General Rules of Practice for the  
2.8 district courts if the administrator determines that licensure is not appropriate under the  
2.9 circumstances.