

# HOUSE BILL NO. 2454

## 98TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE ROEBER.

6276H.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 374.788, RSMo, and to enact in lieu thereof one new section relating to the apprehension of certain persons by a bail bond or surety recovery agent.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 374.788, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 374.788, to read as follows:

374.788. 1. A bail bond agent having probable grounds to believe a subject free on his or her bond has failed to appear as directed by a court, has breached the terms of the subject's surety agreement, or has taken a substantial step toward absconding may utilize all lawful means to apprehend the subject. To surrender a subject to a court, a licensed bail bond or surety recovery agent having probable grounds to believe the subject is free on his or her bond may:

(1) Detain the subject in a lawful manner, for a reasonable time, provided that in the event travel from another state is involved, the detention period may include reasonable travel time not to exceed seventy-two hours;

(2) Transport a subject in a lawful manner from state to state and county to county to a place of authorized surrender; and

(3) Enter upon private or public property in a lawful manner to execute apprehension of a subject; **except that, such agent shall not be allowed to apprehend patients or residents in a facility as defined under section 376.1350.**

2. A surety recovery agent who apprehends a subject pursuant to the provisions of subsection 1 of this section shall surrender custody of the subject to the court of jurisdiction.

3. When a surety recovery agent is in the process of performing fugitive recovery, a photographic identification card shall be prominently displayed on his or her person.

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EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.