

SENATE BILL 1952

By Gardenhire

AN ACT to amend Tennessee Code Annotated, Section 40-11-138, relative to bail bonds.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-11-138(b), is amended by deleting the subsection in its entirety and substituting instead the following:

(b)

(1) A bail bondsman or surety shall be released from an obligation under a bail bond if the charge against the surety's principal is disposed of by acquittal, agreement with the state, whether diversion or otherwise, or retirement.

(2)

(A) If the charge is disposed of by conviction or a plea of guilty, the bond shall remain in effect until the court renders the defendant's sentence.

(B) After conviction or a plea of guilty, and before the court renders the defendant's sentence, the bond shall not be forfeited against a surety, shall not be included in the calculation of a professional bondsman's capacity or solvency, or otherwise negatively impact the surety.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.