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HOUSE BILL 1312

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State of Washington                      64th Legislature                      2015 Regular Session

By Representatives Goodman and Moscoso

Read first time 01/19/15. Referred to Committee on Public Safety.

1            AN ACT Relating to the limited exoneration of bail forfeitures in  
2 instances where the prosecuting agency declines extradition of a  
3 defendant; and adding a new section to chapter 10.19 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5            NEW SECTION.    **Sec. 1.**    A new section is added to chapter 10.19  
6 RCW to read as follows:

7            (1) In all cases where a defendant is in custody beyond the  
8 jurisdiction of the court that ordered the bail forfeited, and the  
9 prosecuting agency elects not to seek extradition in a signed  
10 affidavit after being informed of the location of the defendant, the  
11 court must vacate the forfeiture and exonerate the bond on terms that  
12 are just and do not exceed the terms imposed in similar situations  
13 with respect to other forms of pretrial release.

14            (2) In all cases of forfeiture where: (a) A defendant is not in  
15 custody, is beyond the jurisdiction of the state, is temporarily  
16 detained by the bail agent in the presence of a local law enforcement  
17 officer of the jurisdiction in which the defendant is located, and is  
18 positively identified by that law enforcement officer as the wanted  
19 defendant in an affidavit signed under penalty of perjury; and (b)  
20 the prosecuting agency elects not to seek extradition after being  
21 informed of the location of the defendant, the court must vacate the

1 forfeiture and exonerate the bond on terms that are just and do not  
2 exceed the terms imposed in similar situations with respect to other  
3 forms of pretrial release.

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