

Bill Summary
1st Session of the 57th Legislature

Bill No.:	SB 974
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Author:	Sen. Young
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Bill Analysis

SB 974 modifies court procedures related to determining eligibility for bail. The measure specifies that violent offenses enumerated in Section 571 of Title 57 will allow the court to deny bail for a person charged with one of those crimes. Additionally, the court must make an individualized determination that the release of the defendant would likely mean he or she would fail to appear in court. The court must also determine if a person poses a specific threat to a specific person before releasing the defendant. The measure removes language creating a rebuttable presumption of danger to the community if a person is arrested on drug related charges.

If a person is not released, he or she must be taken before a magistrate within 48 hours. Charges must be filed at the initial appearance. Judicial districts may authorize the sheriff to set a pretrial bail schedule. The measure modifies penalties related to failure to appear in court as well. A person given bail and charged with a crime enumerated in Section 571 of Title 57 may still be imprisoned for up to an additional year and receive a \$1,000.00 fine. For a person charged with other crimes and who fails to appear in court, the penalty shall be up to \$500.00 and up to six months in jail.

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