

BILL SUMMARY
1st Session of the 57th Legislature

Bill No.:	HB 1037
Version:	INT
Request Number:	5364
Author:	Rep. Walke
Date:	2/25/2019
Impact:	Reduces penalties, potential savings

Research Analysis

HB 1037 modifies the list of exceptions that prohibits certain persons from receiving bail. The measure provides that an arrested person is to be taken without unnecessary delay before a magistrate for an initial appearance within 48 hours. If the offense is not a violent crime, domestic assault, violation of a protective order, stalking or felony offenses involving escape, the court is to release the person on their own recognizance unless the court determines the person will not appear, the person will obstruct justice or threaten a witness, or the person will engage in conduct that threatens themselves or another person. Bail schedules are to be made public and be displayed in public areas. The measure requires the least restrictive conditions that will reasonably assure the return of the person to court to be used by the pretrial services program. The measure carves out a misdemeanor penalty for persons convicted of bail forfeiture if the underlying charge was a crime other than a violent crime.

The measure repeals Title 22, Section 1101.1 relating to Setting Bail.

Prepared By: Brad Wolgamott

Fiscal Analysis

HB 1037 reduces some penalties for violations. This could generate potential savings for the state. The exact impact is contingent upon how many individuals fall under the non-violent crime penalty section.

Prepared By: Kristina King

Other Considerations

None.