

By the Committee on Banking and Insurance; and Senator Broxson

597-02319-22

20221182c1

1                   A bill to be entitled  
2           An act relating to breach of bond costs; amending s.  
3           903.21, F.S.; redefining the term "jurisdiction";  
4           providing for the exoneration from liability of a  
5           surety on a bond under certain circumstances if the  
6           surety agrees in writing to pay the costs and expenses  
7           incurred in returning the defendant to the  
8           jurisdiction of the court; providing for calculation  
9           of costs and expenses; providing construction;  
10          providing an effective date.

11  
12 Be It Enacted by the Legislature of the State of Florida:

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14           Section 1. Subsection (3) of section 903.21, Florida  
15 Statutes, is amended to read:

16           903.21 Method of surrender; exoneration of obligors.—

17           (3) (a) As used in this subsection, the term "jurisdiction"  
18 means the county from which the defendant was released on bail.

19           (b) The surety shall be exonerated of liability on the bond  
20 if it is determined before ~~prior to~~ breach of the bond that the  
21 defendant is in any jail or prison and the surety agrees in  
22 writing to pay the costs and expenses incurred in ~~transportation~~  
23 ~~cost of~~ returning the defendant to the jurisdiction of the  
24 court. Such costs and expenses incurred may not be more than the  
25 prorated salary of the officers or the contracted transportation  
26 company involved and the actual expenses of transporting each  
27 defendant. Such actual expenses of transportation shall only  
28 consist of mileage, vehicle expenses, meals, and, when  
29 necessary, overnight lodging for the officer or contracted

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30 transportation company and the defendant.

31 (c) A surety agent is responsible only for the costs and  
32 expenses incurred during transport of defendants who are under  
33 his or her fiduciary ~~For purposes of this subsection,~~  
34 ~~"jurisdiction" means within the judicial circuit as prescribed~~  
35 ~~by law.~~

36 Section 2. This act shall take effect July 1, 2022.