

By the Committees on Rules; and Banking and Insurance; and  
Senator Broxson

595-03060-22

20221182c2

1 A bill to be entitled  
2 An act relating to breach of bond costs; amending s.  
3 903.21, F.S.; requiring sureties to pay costs and  
4 expenses incurred in returning a defendant to the  
5 jurisdiction of the court; providing construction;  
6 specifying recoverable costs; revising and providing  
7 definitions; providing an effective date.

8  
9 Be It Enacted by the Legislature of the State of Florida:

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

13 903.21 Method of surrender; exoneration of obligors.—

14 (3) (a) The surety shall be exonerated of liability on the  
15 bond if it is determined before ~~prior to~~ breach of the bond that  
16 the defendant is in any jail or prison and the surety agrees in  
17 writing to pay the costs and expenses incurred in transportation  
18 ~~cost of~~ returning the defendant to the jurisdiction of the  
19 court. A surety is only responsible for the itemized costs and  
20 expenses incurred for the transport of a defendant to whom he or  
21 she has a fiduciary duty and is not liable for the costs and  
22 expenses incurred in transporting any other defendant.

23 (b) For purposes of this subsection, the term:

24 1. "Costs and expenses" means the prorated salary of any  
25 law enforcement officer or employee of a contracted  
26 transportation company as well as the actual expenses of  
27 transporting each defendant, which may only consist of mileage,  
28 vehicle expenses, meals, and, if necessary, overnight lodging  
29 for any law enforcement officer or employee of a contracted

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30 transportation company and the defendant.

31 2. "Jurisdiction" means the county from which the defendant  
32 was released on bail ~~within the judicial circuit as prescribed~~  
33 ~~by law.~~

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