



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 2046

PRINTERS NO. 2413

PRIME SPONSOR: Klunk

COST / (SAVINGS)

FUND	FY 2021/22	FY 2022/23
General Fund	\$0	See fiscal impact

SUMMARY:

House Bill 2046 amends the Judicial Code concerning definitions related to bonds and recognizances. It would take effect in 180 days.

ANALYSIS:

House Bill 2046 both adds and changes definitions related to bonds and recognizances in the Judicial Code. The current definition of "bail bondsman" as a person who engages in the business of giving bail as a surety for compensation is changed to the definition of "professional bondsman," and "bail bondsman" is defined as a professional bondsman or a surety bondsman.

The terms "business of giving bail" and "business of a bail bondsman" include acting as a surety for a defendant, indemnifying a surety for a defendant or providing financial support for the release of a defendant on a monetary condition of release on bail with or without compensation to a defendant. A person is engaged in the business of giving bail notwithstanding whether the person completes a necessary written obligation required by the court of a surety or by allowing a defendant for which a bond is issued to submit a necessary written obligation in the defendant's own name as surety.

Finally, "surety bondsman" is defined as a person who engages in the business of giving bail as a surety without compensation in a judicial district for at least three defendants within 30 days in criminal proceedings not arising out of the same transaction or occurrence.

FISCAL IMPACT:

The Pennsylvania Insurance Department has no way to estimate how many individuals might seek licensing as bail bondsmen due to the changes in this legislation. Therefore, any potential fiscal impact on the Commonwealth cannot be estimated.

PREPARED BY: Jeff Miller
House Appropriations Committee (R)

DATE: November 16, 2021

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.