

By: Representative Fillingane

To: Judiciary B

HOUSE BILL NO. 659

1 AN ACT TO AMEND SECTION 99-5-9, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT A PUBLIC RECORD SHALL BE MAINTAINED OF CASH BAIL
3 BONDS POSTED; TO REQUIRE THAT THE INTERNAL REVENUE SERVICE SHALL
4 BE NOTIFIED IF MORE THAN \$10,000.00 IS POSTED; AND FOR RELATED
5 PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** Section 99-5-9, Mississippi Code of 1972, is
8 amended as follows:

9 99-5-9. In addition to any type of bail allowed by statute,
10 any committing court, in its discretion, may allow any defendant,
11 to whom bail is allowable, to deposit cash as bail bond in lieu of
12 a surety or property bail bond, by depositing such cash sum as the
13 court may direct with the sheriff or officer having custody of
14 defendant, who shall receipt therefor and who shall forthwith
15 deliver the said monies to the county treasurer, who shall receipt
16 therefor in duplicate. The sheriff, or other officer, upon
17 receipt of the county treasurer, shall forthwith deliver one copy
18 of such receipt to the committing court who shall then order the
19 release of such defendant.

20 The order of the court shall set forth the conditions upon
21 which such cash bond is allowed and shall be determined to be the
22 agreement upon which the bailee has agreed.

23 The sums received by the county treasurer shall be deposited
24 by him in a special fund to be known as "Cash Bail Fund," and
25 shall be received by him subject to the terms and conditions of
26 the order of the court.



27 A public record shall be maintained of all cash bail bonds
28 posted. If more than Ten Thousand Dollars (\$10,000.00) is posted,
29 the Internal Revenue Service shall be notified.

30 **SECTION 2.** This act shall take effect and be in force from
31 and after July 1, 2002.

