

As Amended by House Committee

Session of 2021

HOUSE BILL No. 2076

By Committee on Judiciary

1-15

1 AN ACT concerning criminal procedure; relating to sureties; surrender of
2 obligor by surety; release of surety; requiring delivery to county where
3 the complaint subject to the bond was filed; **adding a definition of**
4 **custodial officer of the court**; amending K.S.A. 22-2809 and
5 repealing the existing section.

6
7 *Be it enacted by the Legislature of the State of Kansas:*

8 Section 1. K.S.A. 22-2809 is hereby amended to read as follows: 22-
9 2809. **(a)** Any person who is released on an appearance bond may be
10 arrested by such person's surety or any person authorized by such surety
11 and delivered to a custodial officer of the court ~~in any~~ *the* county in the
12 state ~~in which such person is charged~~ *where the complaint subject to the*
13 *bond was filed*. Such person who is arrested as provided in this section
14 shall be brought before any magistrate having power to commit for the
15 crime charged. The magistrate shall indorse on the bond, or a certified
16 copy of such bond, the discharge of such surety upon the sworn statement,
17 either written or oral, of the surety setting forth the reasons for the
18 discharge. The magistrate may commit the party who is arrested as
19 provided in this section. Such person committed as provided in this section
20 shall be held in custody until released as provided by law.

21 **(b) As used in this section, "custodial officer of the court" means**
22 **the sheriff or the keeper of the jail in the county.**

23 Sec. 2. K.S.A. 22-2809 is hereby repealed.

24 Sec. 3. This act shall take effect and be in force from and after its
25 publication in the statute book.