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# State of Minnesota

## HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. **4814**

04/21/2022

Authored by Hertauss

The bill was read for the first time and referred to the Committee on Public Safety and Criminal Justice Reform Finance and Policy

- 1.1 A bill for an act
- 1.2 relating to public safety; permitting civil action for damages against a charitable
- 1.3 bail organization; requiring forfeiture of bail in certain instances; proposing coding
- 1.4 for new law in Minnesota Statutes, chapter 629.
- 1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.6 Section 1. **[629.705] CHARITABLE BAIL ORGANIZATIONS; LIABILITY.**
- 1.7 Subdivision 1. **Definition.** For purposes of this section, "charitable bail organization"
- 1.8 means an organization that:
- 1.9 (1) solicits or accepts donations from the public; and
- 1.10 (2) agrees to deposit money bail for another person.
- 1.11 Subd. 2. **Civil liability.** If a charitable bail organization deposits money bail on behalf
- 1.12 of a person to secure that person's pretrial release and the person subsequently commits a
- 1.13 crime while released, the charitable bail organization shall be liable to the victim of that
- 1.14 crime for any damages in a civil action brought in district court. Costs, disbursements, and
- 1.15 reasonable attorney fees may be awarded to a victim awarded damages under this section.
- 1.16 Liability under this section is limited to the period in which the person is on pretrial release
- 1.17 due to money bail deposited by the organization.
- 1.18 Subd. 3. **Forfeiture of bail.** Notwithstanding any contrary provision of law or court
- 1.19 rule, if a person for whom a charitable bail organization has deposited money bail to secure
- 1.20 the person's pretrial release commits a crime during the person's release and is subsequently
- 1.21 convicted of that crime, the court shall order the deposited bail forfeited.