

SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION

S.F. No. 4494

(SENATE AUTHORS: OSMEK)

DATE	D-PG	OFFICIAL STATUS
04/19/2022	6953	Introduction and first reading Referred to Judiciary and Public Safety Finance and Policy

1.1A bill for an act

1.2relating to public safety; permitting civil action for damages against a charitable

1.3bail organization; requiring forfeiture of bail in certain instances; proposing coding

1.4for new law in Minnesota Statutes, chapter 629.

1.5BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6Section 1. **[629.705] CHARITABLE BAIL ORGANIZATIONS; LIABILITY.**

1.7Subdivision 1. **Definition.** For purposes of this section, "charitable bail organization"

1.8means 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.

1.11Subd. 2. **Civil liability.** If a charitable bail organization deposits money bail on behalf

1.12of a person to secure that person's pretrial release and the person subsequently commits a

1.13crime while released, the charitable bail organization shall be liable to the victim of that

1.14crime for any damages in a civil action brought in district court. Costs, disbursements, and

1.15reasonable attorney fees may be awarded to a victim awarded damages under this section.

1.16Liability under this section is limited to the period in which the person is on pretrial release

1.17due to money bail deposited by the organization.

1.18Subd. 3. **Forfeiture of bail.** Notwithstanding any contrary provision of law or court

1.19rule, if a person for whom a charitable bail organization has deposited money bail to secure

1.20the person's pretrial release commits a crime during the person's release and is subsequently

1.21convicted of that crime, the court shall order the deposited bail forfeited.