

House Research Act Summary

CHAPTER: 28

SESSION: 1999 Regular Session

TOPIC: Criminal Actions - Failure to Appear

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Overview

This act broadens the crime of "failure to appear in court" to cover all defendants released from custody on an order or condition to appear in court as required. It eliminates the requirement that defendants receive prior notice that failure to appear in court as required is a crime. The act also permits a court to order a defendant convicted of failure to appear to pay costs incurred by the prosecutor or other government agency due to the defendant's act.

Section

- 1-2 Failure to appear.** Under current law, it is a crime for a person charged with or convicted of a crime to fail to appear in court after being released from custody **if** the person was notified that failure to appear for a court appearance is a crime. These sections provide that such prior notice is not required when the defendant was released from custody on an order or condition that the defendant personally appear in court when required.
- 3 Reimbursement for costs.** Permits the court to order a defendant convicted of "failure to appear" to pay costs incurred by the prosecutor or other government agency due to the defendant's act. Authorizes imposition of this payment in addition to other penalties and provides criminal and civil methods for its collection. Requires these costs to be paid into the treasury of the county of conviction.
- 4 Effective date.** August 1, 1999, for crimes committed on or after that date.