



## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

June 22, 2007

### **H.R. 2286** **Bail Bond Fairness Act of 2007**

*As ordered reported by the House Committee on the Judiciary on June 13, 2007*

H.R. 2286 would prohibit the forfeiture of a bail bond in federal court based on a defendant's failure to abide by certain conditions of their temporary release. Under current law, a federal judge may grant a criminal defendant temporary release pending trial. Such a release may include conditions such as travel restrictions, abiding by a curfew, maintaining employment or attendance in an educational program, and part-time incarceration. Because such conditions often include a pledge of assets, defendants may obtain a bail bond to act as a surety for their future appearance in court. Upon failure to appear in court, or upon violation of another condition of release, a judge may declare the bond forfeit. H.R. 2286 would amend current law to allow forfeiture only in cases where a defendant fails to appear in court.

Enacting this bill could reduce the number of bail bonds declared forfeit by the federal courts. Proceeds from forfeited bail bonds are recorded as revenues, then deposited in the Crime Victims Fund of the Department of Justice, and later spent. Thus, CBO expects that the net effect on the federal budget from any reduction in revenues and direct spending resulting from this bill would not be significant.

H.R. 2286 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contact for this estimate is Daniel Hoople. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.