



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

October 14, 2003

H.R. 2134 **Bail Bond Fairness Act of 2003**

As ordered reported by the House Committee on the Judiciary on September 10, 2003

H.R. 2134 would prohibit federal judges from requiring the forfeiture of bail bonds for any reason other than failure to appear before the court. Under current law, some judges require forfeiture when the defendant appears before the court but has violated a condition of release. (Such violations could include drug use or contacting the victim while released.)

Under current law, the Department of Justice (DOJ) collects about \$5 million each year from bail bond forfeitures. Because H.R. 2134 would limit the scope of forfeitures, CBO estimates that the federal government would collect fewer forfeited bail bonds as a result of the legislation. Based on information from the Administrative Office of the United States Courts, CBO expects the number of forfeitures that would likely be affected by this legislation would be small. Collections of such forfeitures are deposited into the Crime Victims Fund and spent in subsequent years. Therefore, CBO estimates that enacting H.R. 2134 would result in no significant net impact on the federal budget over the 2004-2013 period.

H.R. 2134 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

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