

SENATE  
STATE OF MINNESOTA  
NINETY-SECOND SESSION

S.F. No. 4494

(SENATE AUTHORS: OSMEK)

DATE  
04/19/2022

D-PG

OFFICIAL STATUS  
Introduction and first reading  
Referred to Judiciary and Public Safety 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.