
SENATE BILL NO. 13—COMMITTEE ON JUDICIARY

(ON BEHALF OF THE NEVADA SUPREME COURT)

PREFILED OCTOBER 30, 2024

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to exoneration of bail.
(BDR 14-471)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to bail; requiring exoneration of a bond or undertaking for bail under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, when a defendant is released on bail, if no formal action or
2 proceeding is instituted against the defendant or if such an action or proceeding is
3 dismissed, the court is required to exonerate bail, except that the court is authorized
4 to delay exoneration of bail for a period not to exceed 30 days under certain
5 circumstances. (NRS 178.502) **Section 1** of this bill also requires the court to
6 exonerate bail if the defendant admitted to bail and the prosecuting attorney
7 stipulate to the exoneration of bail.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 178.502 is hereby amended to read as follows:
2 178.502 1. A person required or permitted to give bail shall
3 execute a bond for the person’s appearance. The magistrate or court
4 or judge or justice, having regard to the considerations set forth in
5 NRS 178.4851, may require one or more sureties or may authorize
6 the acceptance of cash or bonds or notes of the United States in an
7 amount equal to or less than the face amount of the bond.

8 2. Any bond or undertaking for bail must provide that the bond
9 or undertaking:



1 (a) Extends to any action or proceeding in a justice court,
2 municipal court or district court arising from the charge on which
3 bail was first given in any of these courts; and

4 (b) Remains in effect until exonerated by the court.

5 ➤ This subsection does not require that any bond or undertaking
6 extend to proceedings on appeal.

7 3. If an action or proceeding against a defendant who has been
8 admitted to bail is transferred to another trial court, the bond or
9 undertaking must be transferred to the clerk of the court to which
10 the action or proceeding has been transferred.

11 4. Except as otherwise provided in subsection 5, the court shall
12 exonerate the bond or undertaking for bail if:

13 (a) The action or proceeding against a defendant who has been
14 admitted to bail is dismissed; ~~or~~

15 (b) No formal action or proceeding is instituted against a
16 defendant who has been admitted to bail ~~if~~; or

17 (c) *The defendant who has been admitted to bail and the*
18 *prosecuting attorney stipulate to the exoneration of the bond or*
19 *undertaking for bail.*

20 5. The court may delay exoneration of the bond or undertaking
21 for bail for a period not to exceed 30 days if, at the time the action
22 or proceeding against a defendant who has been admitted to bail is
23 dismissed, the defendant:

24 (a) Has been indicted or is charged with a public offense which
25 is the same or substantially similar to the charge upon which bail
26 was first given and which arises out of the same act or omission
27 supporting the charge upon which bail was first given; or

28 (b) Requests to remain admitted to bail in anticipation of being
29 later indicted or charged with a public offense which is the same or
30 substantially similar to the charge upon which bail was first given
31 and which arises out of the same act or omission supporting the
32 charge upon which bail was first given.

33 ➤ If the defendant has already been indicted or charged, or is later
34 indicted or charged, with a public offense arising out of the same act
35 or omission supporting the charge upon which bail was first given,
36 the bail must be applied to the public offense for which the
37 defendant has been indicted or charged or is later indicted or
38 charged, and the bond or undertaking must be transferred to the
39 clerk of the appropriate court. Within 10 days after its receipt, the
40 clerk of the court to whom the bail is transferred shall mail or
41 electronically transmit notice of the transfer to the surety on the
42 bond and the bail agent who executed the bond.

43 6. Bail given originally on appeal must be deposited with the
44 magistrate or the clerk of the court from which the appeal is taken.



1 **Sec. 2.** This act becomes effective upon passage and approval.

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