

### **431.532 Bail deposits by person other than defendant.**

When deposits of money are made by a person other than the defendant utilizing funds other than those of the defendant as bail security pursuant to KRS 431.530 the following terms and conditions shall apply in lieu of the provisions of subsections (3) and (4) of KRS 431.530:

- (1) The deposit shall be listed as being made on behalf of the defendant by the depositor and not in the name of the defendant;
- (2) If the conditions of release have been performed and the defendant has been discharged from all obligations in the action the clerk of the court shall return to the person who deposited the money ninety percent (90%) of the sum deposited and shall retain as bail costs ten percent (10%) of the amount deposited provided, however, in no event shall the amount retained by the clerk as bail costs be less than five dollars (\$5);
- (3) No deductions shall be made by the court for public advocate services, satisfaction of fines, payment of attorneys, or any other purpose when the defendant has been discharged as provided in subsection (2) of this section unless agreed to by the poster of the bond.
- (4) If the defendant has performed all conditions of release and if the defendant is found not guilty of the offense for which bail was posted, or if all charges against him relating to the offense for which bail was posted are dropped or dismissed, then all bail money deposited pursuant to this section shall be returned to the person posting the bail with no deductions therefrom as provided in subsection (3) or (4) of KRS 431.530.

**Effective:** July 1, 1979

**History:** Created 1979 (1st Extra. Sess.) Ky. Acts ch. 7, sec. 10, effective July 1, 1979.