

**629.58 PROCEEDINGS REQUIRED WHEN PERSON UNDER BOND DEFAULTS; PAYING BOND TO COURT.**

When a person in a criminal prosecution is under bond (1) to appear and answer, (2) to prosecute an appeal, or (3) to testify in court, and fails to perform the conditions of the bond, the default must be recorded. The court shall issue process against some or all of the persons bound by the bond as the prosecuting officer directs. If a person under bond fails to perform the conditions of the bond, the law enforcement authorities shall apprehend that person in the manner provided in rule 6.03 of the Rules of Criminal Procedure. After default on a bond, a surety may, with permission of the court, pay to the county treasurer or court administrator the amount for which the surety was bound as surety, with costs as the court may direct. Payment may be made either before or after process is issued. When it is made, the surety is fully discharged of any obligation under the bond.

**History:** (10593) *RL s 5252; 1979 c 233 s 37; 1985 c 265 art 10 s 1; 1986 c 444; 1Sp1986 c 3 art 1 s 82*