

**First Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO**

**REVISED**

*This Version Includes All Amendments Adopted  
on Second Reading in the Second House*

LLS NO. 25-0722.01 Michael Dohr x4347

**HOUSE BILL 25-1015**

**HOUSE SPONSORSHIP**

**Mabrey and Zokaie**, Bacon, Boesenecker, Brown, Camacho, Clifford, Duran, Espenoza, Garcia, Gilchrist, Hamrick, Joseph, Lieder, Lindsay, Marshall, Martinez, McCluskie, Phillips, Rutinel, Rydin, Sirota, Stewart R., Titone, Velasco, Woodrow

**SENATE SPONSORSHIP**

**Rodriguez and Gonzales J.,**

**House Committees**  
Judiciary

**Senate Committees**  
Judiciary

**A BILL FOR AN ACT**

101      **CONCERNING CLARIFYING CHANGES TO ENSURE THAT BOND CAN BE**  
102      **POSTED ONLINE.**

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

Current law requires that bond can be posted online. The bill makes clarifying changes to the bond statutes to ensure that bond can be posted online.

1      *Be it enacted by the General Assembly of the State of Colorado:*

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing law.  
Dashes through the words or numbers indicate deletions from existing law.

SENATE  
2nd Reading Unamended  
March 17, 2025

HOUSE  
3rd Reading Unamended  
January 27, 2025

HOUSE  
Amended 2nd Reading  
January 24, 2025

1           **SECTION 1.** In Colorado Revised Statutes, 16-4-102, **amend**  
2       (2)(b), (2)(c), (2)(d), (2)(e), (2)(f), (2)(h)(I)(A), (2)(i)(I), (2)(i)(II),  
3       (2)(j)(I), and (2)(j)(II) as follows:

4           **16-4-102. Right to bail - before conviction.** (2) (b) (I) A judge,  
5       judicial officer, or bond hearing officer shall not require a monetary bond  
6       to be ~~paid~~ POSTED in the defendant's name. Bond may be ~~paid~~ POSTED, at  
7       a minimum, by cash, money order, or cashier's check. BOND MAY BE  
8       POSTED ONLINE, AT A MINIMUM, BY CREDIT CARD. If bond is ~~paid~~ POSTED  
9       by money order or cashier's check, the money order or cashier's check  
10      may be payable to the holding county. Before bond is posted, the sheriff  
11      shall provide the defendant and surety OR THIRD-PARTY PAYER, if any, a  
12      copy of the notice described in subsection (2)(h)(I) of this section. When  
13      the bond is posted, the sheriff shall provide the defendant and surety OR  
14      THIRD-PARTY PAYER, if any, a copy of the bond paperwork and  
15      information regarding the defendant's next court date. The individual  
16      processing the bond shall certify, in writing, that the ~~payor~~ DEFENDANT  
17      AND SURETY OR THIRD-PARTY PAYER, IF ANY, received a copy of the bond  
18      paperwork, the notice described in subsection (2)(h)(I) of this section, and  
19      information regarding the defendant's next court date and shall place a  
20      copy of the certification in the defendant's file. Notwithstanding the  
21      provisions of this section, a sheriff may allow an individual to choose to  
22      stay in jail overnight after release when extenuating circumstances exist,  
23      including inclement weather, lack of transportation, or lack of shelter.

24           (II) By ~~January 1, 2022~~ OCTOBER 1, 2025, each jail shall establish  
25      a means to ~~pay~~ POST bond online without the need for the ~~payor~~ SURETY  
26      OR THIRD-PARTY PAYER to go to the jail in person to ~~pay~~ POST bond. EACH  
27      SHERIFF SHALL POST INSTRUCTIONS ON THE SHERIFF'S WEBSITE DESCRIBING

1     **HOW TO POST BOND ONLINE.** ALL BONDS OF ANY AMOUNT THAT ARE  
2     POSTABLE IN PERSON MUST BE POSTABLE ONLINE. DEFENDANTS AND  
3     SURETIES OR THIRD-PARTY PAYERS THAT POST BOND ONLINE HAVE THE  
4     SAME RIGHTS THAT ARE AFFORDED TO A PERSON WHEN POSTING IN  
5     PERSON, SPECIFICALLY:

6             (A) THE SHERIFF SHALL PROVIDE THE DEFENDANT AND SURETY OR  
7     THIRD-PARTY PAYER, IF ANY, A COPY OF THE NOTICE DESCRIBED IN  
8     SUBSECTION (2)(h)(I) OF THIS SECTION; AND

9             (B) THE SHERIFF SHALL PROVIDE THE DEFENDANT AND SURETY OR  
10    THIRD-PARTY PAYER, IF ANY, A COPY OF THE BOND PAPERWORK AND  
11    INFORMATION REGARDING THE DEFENDANT'S NEXT COURT DATE.

12            (c) The custodian of a jail shall ensure the defendant, a surety on  
13    behalf of the defendant, or another third party on behalf of the defendant  
14    is not charged more than a ten-dollar bond processing fee, INCLUDING  
15    WHEN BOND IS POSTED ONLINE.

16            (d) The custodian of a jail shall also ensure the defendant, a surety  
17    on behalf of the defendant, or another third party on behalf of the  
18    defendant is not charged any additional transaction fees, including kiosk  
19    fees, INCLUDING WHEN BOND IS POSTED ONLINE; except that the standard  
20    credit card processing fee that the credit card company charges may be  
21    charged when a credit card is used, or, when a third-party vendor provides  
22    defendants the option to ~~pay~~ POST monetary bond with a credit card, the  
23    defendant ~~can~~ MAY be required to pay ~~up to~~ NOT MORE THAN a  
24    three-and-one-half percent credit card payment processing fee.

25            (e) Unless extraordinary circumstances exist, the custodian of a  
26    jail shall release a defendant who is granted a personal recognizance bond  
27    as soon as practicable but no later than six hours after the defendant is

1 physically present in the jail. Unless extraordinary circumstances exist,  
2 the custodian of a jail shall release a defendant who is granted a cash  
3 bond as soon as practicable but no later than six hours after bond is set,  
4 after the defendant is physically present in the jail, and after the  
5 defendant, ~~or~~ surety, OR THIRD-PARTY PAYER notifies the jail that the  
6 defendant, ~~or~~ surety, OR THIRD-PARTY PAYER is prepared to post bond. If  
7 BOND IS POSTED ONLINE, THE SIX-HOUR RELEASE TIMELINE BEGINS WHEN  
8 THE DEFENDANT, SURETY, OR THIRD-PARTY PAYER SUBMITS PAYMENT FOR  
9 A BOND ONLINE OR ELECTRONICALLY FILES A POWER OF ATTORNEY  
10 PURSUANT TO SECTION 10-2-418. If the custodian fails to release the  
11 defendant within six hours, the custodian shall inform the defendant and  
12 any person posting bond on behalf of the defendant the reason for the  
13 delay and shall document the reason for the delay in the defendant's file.  
14 A supervisory condition of release does not serve as a legal basis to  
15 continue to detain the defendant; except that, if the defendant is ordered  
16 released upon condition of being subject to electronic monitoring, the  
17 defendant may be held up to as long as practicable but no longer than  
18 twenty-four hours after the defendant is physically present in the jail and  
19 the defendant's bond has been posted, if such delay is necessary to ensure  
20 the defendant is fitted with electronic monitoring and the court has  
21 authorized the defendant to be held until the electronic monitor is fitted.  
22 If the court orders electronic monitoring for the protection of a specific  
23 individual, and the defendant is ordered to have no contact with that  
24 specific individual, and the judge orders that the defendant not be  
25 released without electronic monitoring based on finding that the  
26 electronic monitoring is necessary for public safety, then the time limits  
27 regarding release of the defendant in this subsection (2)(e) do not apply.

1     However, if a defendant is held more than twenty-four hours after posting  
2     bond awaiting electronic monitoring fitting, the sheriff shall bring the  
3     defendant to the court the next day the court is in session and explain the  
4     reason for the delay.

5           (f) A defendant ~~who~~ WHOSE BOND HAS BEEN posted, ~~bond~~,  
6     INCLUDING WHEN BOND HAS BEEN POSTED ONLINE, must be released  
7     regardless of whether the defendant has paid any outstanding fee, cost, or  
8     surcharge, including bond processing fees, booking fees, pretrial  
9     supervision fees, or electronic monitoring supervision fees.

10           (h) (I) (A) Each sheriff shall post the following notice of rights on  
11     the sheriff's website and information about how to file a complaint about  
12     violations of ~~subsections (2)(b) to (2)(g)~~ SUBSECTIONS (2)(b) TO (2)(f) of  
13     this section:

14                   **Legal Rights Related to Posting Money Bond**

15                   **Pursuant to Section 16-4-102, Colorado Revised Statutes**

16           1.     **Bond fees, booking fees, and other fees or debts**  
17                   **never need to be paid to secure a person's release on**  
18                   **money bond, INCLUDING WHEN BOND IS POSTED ONLINE.**

19                   A ~~payor~~ DEFENDANT, SURETY, OR ANOTHER THIRD-PARTY  
20                   PAYER need only pay the bond amount in order to secure  
21                   release.

22           2.     While never a basis to hold a defendant in jail, the  
23                   following fees are chargeable as a debt to the defendant  
24                   after release if the ~~payor~~ SURETY OR ANOTHER THIRD-PARTY  
25                   PAYER chooses not to pay the fees at the time of bonding:  
26                   A \$10 bond fee and a maximum 3.5% credit card payment  
27                   fee. No other bond-related fees may be charged at any time,

1 including any kiosk fees or fees for payment by cash,  
2 check, or money order, INCLUDING WHEN BOND IS POSTED  
3 ONLINE.

4 3. Bond payments are to be made out to the holding  
5 county and are never to be made out in the name of the  
6 incarcerated person.

7 4. **A sheriff must release a defendant within six**  
8 **hours after a personal recognizance bond is set and the**  
9 **defendant has returned to jail or within six hours after**  
10 **a cash bond has been set and the defendant has**  
11 **returned to jail and the defendant, or surety, OR**  
12 **THIRD-PARTY PAYER notified the jail that bond is**  
13 **prepared to be posted,** unless extraordinary circumstances  
14 exist. IF BOND IS POSTED ONLINE, THE SIX-HOUR RELEASE  
15 TIMELINE BEGINS WHEN THE DEFENDANT, SURETY, OR  
16 THIRD-PARTY PAYER SUBMITS PAYMENT FOR A BOND OR  
17 ELECTRONICALLY FILES A POWER OF ATTORNEY. In the  
18 event of a delay of more than six hours, a surety OR  
19 THIRD-PARTY PAYER and the defendant have a right to  
20 know what, if any, extraordinary circumstance is causing  
21 the delay. Supervisory conditions of release do not justify  
22 a delay in release; except that a sheriff may hold a  
23 defendant for up to 24 hours if necessary to ensure a  
24 defendant is fitted with required electronic monitoring.

25 5. Anyone who posts a money bond, INCLUDING BOND  
26 POSTED ONLINE, has the right to receive a copy of the bond  
27 paperwork, including documentation of the next upcoming

1 court date.

2 6. **A surety OR THIRD-PARTY PAYER may never be**  
3 **asked to use posted bond money to pay a defendant's**  
4 **debts.** Only when defendants have posted their own money  
5 bond may they be asked if they would like to voluntarily  
6 relinquish bond money to pay their debts, INCLUDING WHEN  
7 BOND IS POSTED ONLINE. Relinquishment of bond money by  
8 a defendant to pay a debt is never required and is entirely  
9 a voluntary choice by the defendant.

10 (i) Each sheriff shall post a notice both in the common area of the  
11 jail in a location clearly visible to the inmates and in the public portion of  
12 the jail where a person posts bond, clearly visible to a person posting  
13 bond, that contains the following information:

14 (I) Bond fees, booking fees, and other fees or debts never need to  
15 be paid to secure a person's release on money bond, INCLUDING WHEN  
16 BOND IS POSTED ONLINE. A ~~payor~~ DEFENDANT, SURETY, OR OTHER  
17 THIRD-PARTY PAYER need only pay the bond amount in order to secure  
18 release.

19 (II) The sheriff shall release a defendant within six hours after a  
20 personal recognizance bond is set and the defendant has returned to jail  
21 or within six hours after a cash bond has been set and the defendant has  
22 returned to jail and the defendant or surety OR THIRD-PARTY PAYER  
23 notified the jail that bond is prepared to be posted, unless extraordinary  
24 circumstances exist. IF BOND IS POSTED ONLINE, THE SIX-HOUR RELEASE  
25 TIMELINE BEGINS WHEN THE DEFENDANT OR SURETY OR THIRD-PARTY  
26 PAYER SUBMITS PAYMENT FOR A BOND OR ELECTRONICALLY FILES A  
27 POWER OF ATTORNEY. However, a sheriff may hold a defendant for up to

1 twenty-four hours if necessary to ensure a defendant is fitted with  
2 required electronic monitoring.

3 (j) (I) Each sheriff shall create written policies to comply with this  
4 subsection (2) by ~~October 1, 2021~~ OCTOBER 1, 2025. The sheriff shall  
5 post the policies on the sheriff's website and distribute them to all staff.  
6 The sheriff shall train all staff who process bonds or interact with inmates  
7 on the policies.

8 (II) Each sheriff shall review and update the sheriff's website,  
9 signage, paperwork, and forms related to bonding to reflect current law  
10 by ~~October 1, 2021~~ OCTOBER 1, 2025, and update the sheriff's website,  
11 signage, paperwork, and forms related to bonding as necessary thereafter.

12 **SECTION 2.** In Colorado Revised Statutes, 16-4-111, **amend** (1)  
13 as follows:

14 **16-4-111. Disposition of security deposits upon forfeiture or**  
15 **termination of bond.** (1) (a) If a defendant is released upon deposit of  
16 cash in any amount or upon deposit of any stocks or bonds and the  
17 defendant is later discharged from all liability under the terms of the  
18 bond, the clerk of the court shall return the deposit to the person who  
19 made the deposit, INCLUDING WHEN BOND IS POSTED ONLINE.

20 (b) (I) If the depositor of the cash bond is the defendant and the  
21 defendant owes court costs, fees, fines, restitution, or surcharges at the  
22 time the defendant is discharged from all liability under the terms of the  
23 bond, the court may apply the deposit toward any amount owed by the  
24 defendant in court costs, fees, fines, restitution, or surcharges if the  
25 defendant voluntarily agrees in writing to the use of the deposit for such  
26 purpose. A defendant ~~shall not be~~ IS NOT required to agree to apply the  
27 deposit toward any amount owed by the defendant as a condition of



1 release, INCLUDING WHEN BOND IS POSTED ONLINE. If any amount of the  
2 deposit remains after paying the defendant's outstanding court costs, fees,  
3 fines, restitution, or surcharges, the court shall return the remainder of the  
4 deposit to the defendant.

5 (II) If the depositor of the cash bond is not the defendant but the  
6 defendant owes court costs, fees, fines, restitution, or surcharges at the  
7 time the defendant is discharged from all liability under the terms of the  
8 bond, the court shall not apply the deposit toward the amount owed by the  
9 defendant in court costs, fees, fines, restitution, or surcharges. The court  
10 shall return the deposit to the depositor, INCLUDING WHEN A BOND IS  
11 POSTED ONLINE.

12 (III) A depositor of a cash bond who is not the defendant may  
13 deposit bond funds directly with the jail. The depositor ~~shall not be~~ IS NOT  
14 required to pay any additional fees, costs, or surcharges other than the  
15 bond amount and bond processing fee. The depositor ~~shall not be~~ IS NOT  
16 required to apply bond funds to the defendant's inmate account for  
17 payment of the bond and ~~shall not be~~ IS NOT required to deposit money in  
18 the defendant's name, INCLUDING WHEN A BOND IS POSTED ONLINE.

19 **SECTION 3. Act subject to petition - effective date.** This act  
20 takes effect at 12:01 a.m. on the day following the expiration of the  
21 ninety-day period after final adjournment of the general assembly; except  
22 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
23 of the state constitution against this act or an item, section, or part of this  
24 act within such period, then the act, item, section, or part will not take  
25 effect unless approved by the people at the general election to be held in  
26 November 2026 and, in such case, will take effect on the date of the  
27 official declaration of the vote thereon by the governor.