

115TH CONGRESS
1ST SESSION

H. R. 2395

To direct the Federal Trade Commission to issue regulations to prohibit any bail bond agent or person who underwrites or insures the provision of a bail bond who require a bonded individual to wear an ankle monitor or other homing device as a condition on issuing such a bond from charging any fee associated with such monitor or device that exceeds the cost to the bail bond agent or person who underwrites or insures the provision of a bail bond of maintaining and operating such monitor or device.

IN THE HOUSE OF REPRESENTATIVES

MAY 4, 2017

Mrs. TORRES (for herself, Mr. GUTIÉRREZ, and Ms. JAYAPAL) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To direct the Federal Trade Commission to issue regulations to prohibit any bail bond agent or person who underwrites or insures the provision of a bail bond who require a bonded individual to wear an ankle monitor or other homing device as a condition on issuing such a bond from charging any fee associated with such monitor or device that exceeds the cost to the bail bond agent or person who underwrites or insures the provision of a bail bond of maintaining and operating such monitor or device.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Stop Predatory Bail
5 Contracts Act”.

6 **SEC. 2. PROHIBITION ON FEES FOR ANKLE MONITORS AS-**
7 **SOCIATED WITH BAIL BONDS.**

8 (a) FTC RULEMAKING.—Not later than 180 days
9 after the date of enactment of this Act, the Federal Trade
10 Commission shall promulgate regulations under section
11 553 of title 5, United States Code, to prohibit a bail bond
12 agent or person who underwrites or insures the provision
13 of bail bond who require an individual for whom a bond
14 is provided to wear an ankle monitor or other homing de-
15 vice as a condition on issuing such a bond from charging
16 any fee associated with such monitor or device that ex-
17 ceeds the cost to the bail bond agent or person who under-
18 writes or insures the provision of a bail bond of maintain-
19 ing and operating such monitor or device.

20 (b) ENFORCEMENT.—

21 (1) TREATMENT OF VIOLATION AS UNFAIR OR
22 DECEPTIVE ACT OR PRACTICE.—A violation of a reg-
23 ulation issued under subsection (a) shall be treated
24 as a violation of a rule defining an unfair or decep-
25 tive act or practice prescribed under section

1 18(a)(1)(B) of the Federal Trade Commission Act
2 (15 U.S.C. 57a(a)(1)(B)).

3 (2) FTC AUTHORITY.—The Federal Trade
4 Commission shall enforce this Act in the same man-
5 ner, by the same means, and with the same jurisdic-
6 tion, powers, and duties as though all applicable
7 terms and provisions of the Federal Trade Commis-
8 sion Act (15 U.S.C. 41 et seq.) were incorporated
9 into and made a part of this Act.

10 (c) DEFINITION.—The term “bail bond agent” means
11 any person that will act as a surety and pledge money
12 or property as bail for the appearance of individuals ac-
13 cused in court.

○