

**ASSEMBLY BILL**

**No. 1537**

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**Introduced by Assembly Member Hagman**

February 27, 2009

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An act to amend Section 1269a of the Penal Code, relating to bail.

LEGISLATIVE COUNSEL'S DIGEST

AB 1537, as introduced, Hagman. Bail.

Existing law provides the procedure for the discharge of a defendant from custody upon bail, as specified.

This bill would make technical, nonsubstantive changes to that provision.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 1269a of the Penal Code is amended to  
2 read:  
3 1269a. Except as otherwise provided by law, no defendant  
4 charged in a warrant of arrest with any public offense shall be  
5 discharged from custody upon bail except upon a written order of  
6 a competent court or magistrate admitting the defendant to bail in  
7 the amount specified in the indorsement referred to in Section  
8 815a, and where an undertaking is furnished, upon a written order  
9 of ~~such~~ *the* court or magistrate approving the undertaking. All ~~such~~  
10 *of these* orders must be signed by ~~such~~ *the* court or magistrate and  
11 delivered to the officer having custody of the defendant before the  
12 defendant is released. Any officer releasing any defendant upon

1 bail otherwise than as herein provided shall be guilty of a  
2 misdemeanor.

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