

1 SB319
2 149482-1
3 By Senator Whatley
4 RFD: Judiciary
5 First Read: 12-MAR-13

2
3
4
5
6
7
8 SYNOPSIS: This bill would require professional
9 bondsmen to attend a 12-hour instructional course
10 and pass an examination developed and administered
11 by a statewide association representing persons in
12 the bail bond business approved by the Association
13 of Circuit Judges prior to soliciting and executing
14 appearance bonds or actively seeking bail bond
15 business, and would also require professional
16 bondsmen to complete eight hours of continuing
17 education each year.

18 This bill would set maximum fees for the
19 initial instructional course, examination, and
20 continuing education courses and would provide for
21 the distribution of the fees.

22 This bill would also provide for the
23 suspension of the right to act as a professional
24 bondsman until the certification and continuing
25 education requirements are satisfied.

26
27 A BILL

1 TO BE ENTITLED

2 AN ACT

3
4 Relating to professional bondsmen, to require
5 professional bondsmen to complete an initial instructional
6 course and pass an examination prior to serving as a
7 professional bondsman; to require continuing education; to
8 provide for the suspension of the right to act as a
9 professional bondsman upon failure to complete the
10 requirements; to provide for fees; and to provide for
11 disbursement of the fees.

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

13 Section 1. (a) For the purposes of this section, a
14 "professional bondsman" means any individual person or agent
15 who is employed by a professional surety company or
16 professional bail company to solicit and execute appearance
17 bonds or actively seek bail bond business for or in behalf of
18 a professional surety company or a professional bail company.

19 (b) (1) A professional bondsman shall attend a
20 12-hour instructional course and pass an introductory test
21 developed and administered by a statewide association
22 representing persons in the bail bond business approved by the
23 Association of Circuit Judges, prior to serving as a
24 professional bondsman. Upon completion of the course and
25 passage of the test, the person shall be awarded a certificate
26 of completion by the association.

1 (2) Each year after initial certification, a
2 professional bondsman shall complete eight hours of continuing
3 education developed and administered by the association. The
4 association shall provide a certificate of completion to
5 professional bondsmen satisfying this requirement.

6 (3) On or before January 31 of each year, a
7 professional bondsman shall submit the certificate of
8 completion of the eight-hour continuing education course to
9 the court clerk, magistrate judge, judicial officer, sheriff,
10 chief of police, individual, department, or any designee
11 thereof, who is responsible for issuing bail bonds for each
12 jurisdiction in which the professional bail bondsman is doing
13 business.

14 (4) A professional bondsman who does not comply with
15 subdivisions (1), (2), and (3) shall be suspended from acting
16 as a professional bondsman during the term of noncompliance
17 and until satisfactory proof is provided to the judge or other
18 person responsible for issuing bail bonds for each
19 jurisdiction in which the professional bondsman is doing
20 business.

21 (c) (1) The cost of the 12-hour course and test shall
22 not exceed five hundred dollars (\$500) and the cost of the
23 annual eight-hour continuing education course shall not exceed
24 five hundred dollars (\$500).

25 (2) The money collected by the association for the
26 administration of any course, test, or continuing education
27 course under this section shall be distributed as follows:

1 a. Eighty-five percent to the association
2 administering the course, test, or continuing education
3 course.

4 b. Five percent to the local Judicial Administrative
5 Fund.

6 c. Five percent to the circuit clerk's fund of the
7 local circuit court clerk.

8 d. Five percent to the Alabama Sheriff's
9 Association.

10 Section 2. This act shall become effective on the
11 first day of the third month following its passage and
12 approval by the Governor, or its otherwise becoming law.