



1
2
3
4 SYNOPSIS:

5 Under existing law, the Supreme Court of Alabama
6 is required to prescribe all bail bond forms.

7 This bill would require the Supreme Court of
8 Alabama to require a qualifying power of attorney
9 document issued by a professional surety company to be
10 attached to all bail bond forms.

11 Under existing law, a professional bail bondsman
12 is not qualified to own his or her own professional
13 bail company until he or she has been licensed as a
14 professional bail bondsman for at least three years,
15 but that restriction does not apply to professional
16 surety bondsmen.

17 This bill would require a professional surety
18 bondsman to be licensed for at least three years before
19 he or she could own his or her own professional surety
20 company.

21 Under existing law, there is an annual
22 recertification process for professional surety
23 companies and professional bond companies with certain
24 reporting requirements the companies must follow.

25 This bill would require circuit clerks to
26 prepare a report listing all professional surety
27 companies and professional bail bond companies
28 authorized to operate in the circuit within 30 days of



29 the presiding circuit judge issuing the authorization
30 order.

31 Under existing law, professional bail companies,
32 when applying for authorization, are required to submit
33 to the presiding circuit court judge either an original
34 corporate surety bond or an escrow agreement that
35 guarantees the payment of all sums of money the
36 professional bail company may be obligated to pay.

37 This bill would allow a professional bail
38 company, when applying for authorization, to guarantee
39 its payments with only an escrow agreement.

40 Under existing law, the terms "apprentice" and
41 "employee" are defined in the administrative rules of
42 the board but not in the Code of Alabama 1975.

43 This bill would define the terms.

44 Under existing law, an apprentice bondsman
45 license expires after 120 days, and the Alabama
46 Professional Bail Bonding Board may provide exceptions
47 so that applicants who are 19 or 20 years of age may
48 hold an apprentice license until they are 21 years of
49 age.

50 This bill would extend the apprentice license
51 expiration to 180 days, provide that an apprentice
52 license can only be issued once, and require a 19 or 20
53 year old apprentice to complete an eight hour
54 instructional course.

55 Under existing law, the Governor is responsible
56 for appointing to the Alabama Professional Bail Bonding



57 Board one circuit, district, or municipal judge who is
58 currently serving and one municipal or circuit court
59 clerk who is currently serving.

60 This bill would provide that the appointed judge
61 and court clerk may be currently serving,
62 supernumerary, or retired.

63 This bill would provide the Governor two
64 additional appointments to the board, one serving
65 sheriff, nominated by the Alabama Sheriff's
66 Association, and one lay person, nominated by the
67 Alabama Circuit Clerks Association.

68 Under existing law, the Alabama Professional
69 Bail Bonding Board must select a new president and vice
70 president each time a new member is appointed to the
71 board.

72 This bill would rename the positions of
73 president and vice president chair and vice chair.

74 This bill would also remove the requirement that
75 a new chair and vice chair be elected each time a new
76 member is appointed to the board.

77 Under existing law, there is no late fee for
78 submitting a license renewal application after the
79 deadline.

80 This bill would impose a late fee on renewal
81 applications submitted after the deadline.

82 This bill would impose an additional late fee
83 for license renewal fees paid after the deadline.

84 Under existing law, there is no residency



85 requirement to become a licensed bondsman in this
86 state.

87 This bill would require applicants to be a
88 resident of this state for at least one year to become
89 a licensed bondsman.

90 Under existing law, there is no process for
91 placing a bondsman license in inactive status.

92 This bill would impose a late fee on late
93 license renewal and would provide a process for placing
94 a license in inactive status as well as reverting an
95 inactive license to active status.

96 This bill would also make nonsubstantive,
97 technical revisions to update the existing code
98 language to current style.

99
100
101 A BILL

102 TO BE ENTITLED

103 AN ACT

104
105 Relating to bail and surety bonding; to amend Sections
106 15-13-112, 15-13-159, 15-13-160, 15-13-201, 15-13-202,
107 15-13-203, 15-13-205, 15-13-210, 15-13-211, and 15-13-217,
108 Code of Alabama 1975; to require the Supreme Court of Alabama
109 to require qualifying power of attorney documents issued by a
110 professional surety company to be attached to all bail bond
111 forms; to require a professional surety bondsman to be
112 licensed for at least three years before he or she could own



his or her own professional surety company; to require circuit clerks to report the authorized professional bail bond companies within 30 days of the close of annual recertification; to provide that a professional bail company may only guarantee payments to the court through an escrow agreement; to define the terms "apprentice" and "employee"; to extend the apprentice license expiration to 180 days; to require 19 or 20 year old apprentice bondsmen to complete an instructional course; to provide that judges and clerks appointed by the Governor to the Alabama Bail Bonding Board may be presently serving, supernumerary, or retired; to provide for the appointment of one serving sheriff and one lay person to be appointed by the Governor to the Alabama Bail Bonding Board; to remove the requirement that a chair and vice chair be elected each time a new member is appointed to the Alabama Bail Bonding Board; to impose late fees on renewal applications; to provide an additional late fee for license renewal fees paid after the deadline; to require bondsman license applicants to be a resident of this state; to provide a process for placing a bondsman license in inactive status and reverting to active status; and to make nonsubstantive, technical revisions to update the existing code language to current style.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 15-13-112, 15-13-159, 15-13-160, 15-13-201, 15-13-202, 15-13-203, 15-13-205, 15-13-210, 15-13-211, and 15-13-217, Code of Alabama 1975, are amended to read as follows:



"§15-13-112

The Supreme Court of Alabama shall prescribe the different forms used for bail bonds and shall publish the forms in the Alabama Rules of Criminal Procedure. The supreme court shall require an original qualifying power of attorney to be attached to all bail bond forms. The original qualifying power of attorney shall: (i) be issued by a professional surety company; and (ii) specify the names of all agents that may execute and bind the company to a bail undertaking and any applicable limitations of the agents. The ~~Supreme Court~~ supreme court may change the forms from time to time as the court deems necessary but the forms and their terms shall conform to the terms of this chapter or any other laws of the State of Alabama."

"§15-13-159

(a) No professional surety company shall execute or become surety on any appearance bond in this state, unless it has an order granting authorization to become professional surety on any bail. The order granting the authorization shall be reissued annually, prior to January 1 of each year, by the presiding circuit judge of the county in which the company desires to execute bail or appearance bonds. Prior to the judge's issuance of the original order and no later than December 1 of each year, thereafter, professional surety companies shall submit annually to the presiding circuit judge the following:

(1) An original or certified copy of a certificate of authority or certificate of compliance from the Department of



Insurance reflecting that the company is qualified to write a bail line of insurance and that the company is in good standing with the department.

(2) An original qualifying power of attorney issued by the professional surety company, specifying any applicable limitations and the names of the agents that may execute and bind the company to a bail undertaking. The qualifying power of attorney shall not name any company, corporation, or other entity as an agent except a person as defined as a professional bondsman in Division 1, Section 15-13-100, and that person shall be an agent of the company licensed with the Department of Insurance.

(3) A copy of the license issued by the Department of Insurance of each agent who is named in or appointed by the qualifying power of attorney in subdivision (2) or a letter or other documentation from the department indicating that the appointed agents are temporarily licensed as agents of the professional surety company for those lines of insurance.

(4) An affidavit or certification in writing, under oath, executed by a licensed agent of the professional surety company who is the manager or an owner or president of a corporation, company, partnership, or other entity that represents the professional surety company, filed with the clerk of the circuit court of each county in which the professional surety company executes or becomes surety on appearance bonds, stating the following:

a. That all appearance bonds shall be executed in the name of the professional surety company as surety by the



agents listed or appointed in the qualifying power of attorney presented to the court or any other qualifying powers of attorney filed with the circuit clerk of the county.

b. That all agents listed or appointed in the qualifying powers of attorney shall be licensed by the Department of Insurance, prior to their appointments.

c. That any agency, company, corporation, or other entity that represents the professional surety company in the county, has no owners or other persons having a direct or indirect financial interest in such agency, company, corporation, or other entity, that have been convicted of a felony or a crime involving moral turpitude. If any ~~person~~individual having a direct or indirect financial interest in such agency, company, corporation, or other entity has been convicted of a felony or a crime involving moral turpitude, then the affidavit or certification shall certify that there has been such conviction, providing the name of the ~~person~~individual convicted, and certify that the ~~person~~individual convicted has been pardoned or has had a restoration of civil rights.

d. That the professional surety company has no knowledge of forfeitures that have been final for more than 30 days that have not been paid to the clerk of the court arising out of surety undertaking, and that the professional surety company has no petitions, motions, or other litigation matters pending.

e. That no agents of the professional surety company who have the authority to execute appearance bonds in its



behalf or any person having a financial interest, direct or indirect, in the ownership or management of any agency, company, corporation, or other entity that represents the professional surety company in the execution of appearance bonds, is an attorney, a judicial official, a person authorized to accept an appearance bond, or an agent of an attorney, judicial official, or person authorized to accept an appearance bond.

f. The names and addresses of all persons, officers, employees, and agents of the agency, company, corporation, or other entity that represents the professional surety company becoming surety on appearance bonds who have a direct or indirect financial interest in the agency, company, corporation, or other entity representing the professional surety company and the nature and extent of each interest.

g. That those persons stated in this section have not, within a period of two years, violated any provisions of this chapter or any rules adopted by the Supreme Court of Alabama in accordance with this chapter.

(5) A copy of the current license issued by the Alabama Professional Bail Bonding Board pursuant to the Alabama Bail Bond Regulatory Act, Article 8.

(b) (1) Not more than 30 days after the presiding circuit court judge of the county issues the order granting authorization to professional surety companies, the circuit clerk shall prepare a list of authorized surety companies. The list shall include all of the following information:

a. The name of each authorized surety company.



253 b. The name of each principal attached to each
254 authorized surety company.

255 c. All final forfeitures and bail bond posting fees
256 owed to the court by each surety company.

257 (2) The circuit clerk shall submit the list of
258 authorized surety companies to the Alabama Professional Bail
259 Bonding Board.

260 (c) A professional surety bondsman may not own a
261 professional surety company until he or she has been licensed
262 as a professional surety bondsman for at least three years. If
263 the owner of a professional surety company dies or becomes
264 completely incapacitated, as determined by the board, his or
265 her professional surety company may be sold to an unlicensed
266 individual. The unlicensed individual shall have 90 calendar
267 days, from date of purchase, to obtain a license and shall
268 employ a minimum of one employee who has been licensed for at
269 least three consecutive years."

270 "\$15-13-160

271 (a) No professional bail company shall execute or
272 become surety on any appearance bond in this state, unless the
273 company has an order granting authorization to become
274 professional surety on any bail. The order granting
275 authorization shall be reissued annually prior to January 1 of
276 each year by the presiding circuit judge of the county in
277 which the company desires to execute bail or appearance bonds.
278 Prior to the judge's issuance of the original order and no
279 later than December 1 of each year, thereafter, professional
280 bail companies shall submit annually to the presiding circuit



judge the following:

(1)a. An ~~original corporate surety bond or~~ escrow agreement, filed and approved by the presiding circuit judge of the county in which the professional bail company executes or becomes surety on appearance bonds, in the amount of twenty-five thousand dollars (\$25,000), guaranteeing the payment of all sums of money that may become due by virtue of any judgment absolute that may be rendered against the professional bail company on a forfeiture entered by any court in the county. Corporate surety bonds shall be executed only by a surety company that at the time is operating and authorized to do business in ~~the~~ this state and qualified to write bonds by the Department of Insurance. The corporate surety bond shall provide that it may be cancelled as to any future liability by the corporate surety company or the professional bail company by giving 30 ~~days~~days' prior written notice of the cancellation to the clerk of the circuit court in which the bond or instrument was filed. A bank in this state shall be a party to all escrow agreements, and those agreements shall provide that the agreement may be cancelled as to any future liability only by the professional bail company and bank by giving 30 ~~days~~days' prior written notice of the cancellation to the clerk of the circuit court in which the escrow agreement or instrument is filed. Once a professional bail company has filed an original continuous corporate surety bond or escrow agreement with the circuit clerk and it has been approved by the presiding circuit judge, then the professional bail company does not have to file any



other original continuous corporate surety bond or escrow agreement upon annual recertification. The professional bail company shall submit an original certificate from the insurance company that executed the corporate surety bond reflecting that it is still in force or an original letter from the bank stating the escrow agreement is still effective and the monies are still held in trust. When any professional bail company is annually recertifying, the circuit clerk shall send the original corporate surety bond or original escrow agreement with any cancellations received by the circuit clerk to the presiding circuit judge for review and approval.

b. Any new ~~original corporate surety bond or~~ escrow agreement made on or after ~~September 1, 2023~~October 1, 2026, in a county with a population of 200,000 or more, shall require ~~a surety bond or~~ an escrow agreement in the amount of fifty thousand dollars (\$50,000). This paragraph does not affect any corporate surety bond or escrow agreement made before ~~September 1, 2023~~October 1, 2026. Current escrow agreements and corporate surety bonds shall remain at twenty-five thousand dollars (\$25,000) for any renewal thereafter.

(2) An original qualifying power of attorney, letter, or other document issued by the professional bail company specifying any applicable limitations and specifying the agents who are authorized to execute and bind the professional bail company to a bail undertaking or to appearance bonds. The qualifying power of attorney, letter, or other document may only name persons as agents.



(3) An original affidavit or certificate in writing, under oath, executed by an owner or officer of a professional bail company, to the clerk of the circuit court of the county in which the professional bail company shall execute or become surety on appearance bonds which contains all of the following:

a. That all appearance bonds shall be executed in the name of the professional bail company as surety by the agents listed or appointed in the qualifying power of attorney, letter, or other document presented to the court or any other person so named in any future qualifying powers of attorney, letters, or documents filed with the circuit clerk of the county.

b. That the professional bail company is qualified to do business in this state and its resident address.

c. That the professional bail company has sufficient financial net worth to satisfy its obligations as a surety.

d. That no person having a direct or indirect financial interest in the professional bail company has been convicted of a felony or a crime involving moral turpitude.

Notwithstanding the foregoing, if any person having a direct or indirect financial interest in the bonding business has been convicted of a felony or a crime involving moral turpitude, then the person making the certification shall certify that there has been a conviction, provide the name of the person convicted, and certify that the person convicted has been pardoned or has had a restoration of civil rights.

e. That the professional bail company has no knowledge



of any forfeiture that has been made final for more than 30 days that has not been paid arising out of surety undertakings and as to which the professional bail company has no petitions, motions, or other litigation matters pending.

f. That there are no persons, including employees, agents, or persons with a financial interest in the professional bail company, who, within a period of two years, violated this chapter, or any rules adopted by the Supreme Court governing the qualifications of professional surety or bail companies.

g. That no employee, agent, or any other person having a direct or indirect financial interest in the professional bail company is an attorney, a judicial official, a person authorized to accept an appearance bond, or an agent of an attorney, judicial official, or person authorized to accept an appearance bond.

h. The names and addresses of all officers, employees, and agents of the professional bail company who have a direct or indirect financial interest in the professional bail company and the nature and extent of each interest.

(b) (1) Not more than 30 days after the presiding circuit court judge of the county issues the order granting authorization to professional bail companies, the circuit clerk shall prepare a list of authorized bail bond companies. The list shall include all of the following information:

- a. The name of each authorized bail bond company.
- b. The name of each principal attached to each authorized bail bond company.



c. All final forfeitures and bail bond posting fees owed to the court by each company.

(2) The circuit clerk shall also submit the list of authorized bail bond companies to the Alabama Professional Bail Bonding Board.

(c) A professional bondsman may not own a professional bail company until he or she has been licensed as a professional bondsman for at least three years. If the owner of a professional bail company dies or becomes completely incapacitated, as determined by the board, his or her professional bail bond company may be sold to an unlicensed individual. The unlicensed individual shall have 90 calendar days, from date of purchase, to obtain a license and shall employ a minimum of one employee who has been licensed for at least three consecutive years."

"§15-13-201

For the purposes of this article, the following terms ~~shall~~ have the following meanings:

(1) APPRENTICE. Any individual working directly for and under the direct supervision of a fully-licensed professional bail bondsman, professional surety bondsman, or recovery agent, who is engaged in the bail bond or professional surety business, and who has been granted an apprentice license by the board.

~~(1)~~ (2) BOARD. Alabama Professional Bail Bonding Board.

(3) EMPLOYEE. a. Any individual who engages in the performance of any of the duties of or for a professional bail company or professional surety company, including, but not



421 limited to, clerical, stenographic, investigative, or
422 administrative duties, or any other work or responsibilities
423 under the contract of hire, express or implied, oral or
424 written, where the employer has the authority or right to
425 control or direct the employee in how the duties, work, or
426 responsibilities are carried out or performed.

427 b. The term includes any individual who has
428 communication or interaction with potential or actual
429 customers and any individual who is working as an apprentice.

430 c. The term does not include any person whose bail
431 bondsman license has been revoked.

432 ~~(2)~~ (4) PROFESSIONAL BAIL COMPANY. A person, individual
433 proprietor, partnership corporation, or other entity, other
434 than a professional surety company, that furnishes bail or
435 becomes surety for a person on an appearance bond and does so
436 for a valuable consideration.

437 ~~(3)~~ (5) PROFESSIONAL BONDSMAN. Any individual or agent
438 who is employed by a professional bail company or professional
439 surety company to solicit and execute appearance bonds or
440 actively seek bail bond business for or on behalf of a
441 professional bail company, including any individual who has a
442 direct or indirect ownership interest in a professional bail
443 company.

444 ~~(4)~~ (6) PROFESSIONAL SURETY BONDSMAN. Any individual who
445 is employed by a professional surety company to solicit and
446 execute appearance bonds or actively seek bail bond business
447 for or on behalf of a professional surety company, including
448 any individual who has a direct or indirect ownership interest



in a professional surety company.

~~(5)~~ (7) PROFESSIONAL SURETY COMPANY. An insurance company, domestic or foreign corporation, or association engaged in the business of insurance, or a surety with a bail line of insurance to which has been issued a certificate of authority or certificate of compliance by the Department of Insurance to execute appearance bonds or bail bonds in criminal cases in the state.

~~(6)~~ (8) RECOVERY AGENT. Any individual, other than an attorney or law enforcement officer, utilized by a professional surety company, professional bail company, or professional bondsman to apprehend a defendant who was released on bail and who violated the terms of his or her bail."

"§15-13-202

(a) An individual may not hold himself or herself out to the public as a professional bondsman or a professional surety bondsman, operate as a recovery agent, or use any term, title, or abbreviation that expresses, infers, or implies that the individual is licensed as a professional bondsman unless the individual at the time holds a valid license as a professional bondsman as provided in this article.

(b) All applicants shall pass an examination, unless exempted by this article, based on criteria established by the Alabama Professional Bail Bonding Board and established under Section 15-13-203 and shall comply with the continuing education requirements established by this article.

(c) The board may issue an apprentice license, which



expires ~~120~~180 days after issuance, to any applicant who satisfies all criteria for licensure except passing the examination. The board may require an applicant for ~~licensure~~a license as an apprentice to sign an affidavit, on a form provided by the board, attesting that the applicant has no felony convictions. An apprentice license shall only be issued once, and a licensee who has previously possessed a professional license may not receive a subsequent apprentice license. The board, by rule, may also provide an age exception to allow any applicant who is 19 or 20 years of age to work as an apprentice until he or she reaches ~~the age of~~ 21 years of age. Before the expiration of his or her apprentice license, an apprentice who is 19 or 20 years of age shall complete an eight-hour continuing education instructional course conducted by an educational provider approved by the Alabama Professional Bail Bonding Board, at no cost to the apprentice. The board may charge a fee, not exceeding fifty dollars (\$50), for an apprentice license.

(d) An apprentice may perform all duties without direct supervision, except for the apprehension of a fugitive. An apprentice shall have his or her license available at all times."

"§15-13-203

(a) The Alabama Professional Bail Bonding Board is created to administer and enforce this article. The board shall consist of all of the following members:

(1) Seven professional bondsmen, one from each of the seven congressional districts of the state, nominated by the



Alabama Bail Bond Association and appointed by the Governor from a list of not more than four nominees for each position on the board. For the initial terms of office, the President of the Alabama Bail Bond Association shall be the professional bondsman member of the board who represents the congressional district in which he or she resides. Each professional bondsman member appointed to the board shall be the owner of a professional bail bond company with at least five years of experience. Except as otherwise provided, no two professional bondsman members shall reside in the same congressional district. If no professional bondsman is available for nomination by the Alabama Bail Bond Association for a congressional district, the Alabama Bail Bond Association shall provide a list of four professional bondsman nominees from the state ~~at-large~~at-large to the Governor for that congressional district, and the Governor shall appoint one of those nominees to fill that position on the board.

(2) One ~~serving~~ circuit, district, or municipal court judge, who is presently serving, supernumerary, or retired, nominated by the Alabama Bail Bond Association and appointed by the Governor from a list of four nominees.

(3) One ~~serving~~ circuit or municipal court clerk, who is presently serving, supernumerary, or retired, nominated by the ~~Alabama Bail Bond Association~~Alabama Circuit Clerks Association and appointed by the Governor from a list of four nominees.

(4) One serving sheriff, nominated by the Alabama Sheriff's Association and appointed by the Governor from a



list of four nominees.

(5) One lay person, nominated by the Alabama Bail Bond Association and appointed by the Governor from a list of four nominees.

(b) The appointments to the board shall be for terms of four years. The nominating and appointing authorities shall coordinate their nominations and appointments ~~so that diversity of gender, race, and geographical areas is reflective~~ to assure the membership is inclusive and reflects the racial, gender, geographic, urban, rural, and economic diversity of the ~~makeup of this~~ state. Vacancies shall be filled by appointment of the Governor for the unexpired portion of the term.

(c) The board, pursuant to the Alabama Administrative Procedure Act, Chapter 22 of Title 41, shall adopt and enforce reasonable rules as the board determines necessary to effectively and efficiently carry out its official duty of licensing and regulating professional bail bond companies and professional bondsmen.

(d) Each member of the board shall receive travel and per diem compensation for expenses incurred in the conduct of official duties while attending meetings and transacting the business of the board, in accordance with applicable state travel and per diem paid to state employees. The compensation of members shall be paid from funds available to the board in the same manner as other expenses are paid."

"§15-13-205

At the initial meeting of the board ~~and each time a new~~



~~member is appointed to the board~~, the members of the board shall select from among their members a ~~president~~chair to preside over meetings of the board, a vice ~~president~~chair to preside in the absence of the ~~president~~chair, and a secretary."

"§15-13-210

(a) An application and all information on an application for ~~licensure~~a license pursuant to this article shall be treated as confidential and shall be filed with the board on forms prescribed by the board. The application shall include all of the following information of the applicant:

(1) His or her full name.

(2) His or her date of birth.

(3) All residences during the immediate past five years.

(4) All employment or occupations engaged in during the immediate past five years.

(5) A list of convictions and pending charges involving a felony or misdemeanor in any jurisdiction.

(b) (1) On or before September 1 each year, the board shall send an email reminder to each licensee stating that the last day for submitting an application for a license renewal is September 30 of that year.

(2) Failure to submit a renewal application by September 30 shall result in a late application fee of one hundred twenty-five dollars (\$125)."

"§15-13-211

Each individual applicant shall meet all of the



following criteria, demonstrating that he or she:

(1) Is at least 21 years of age.

(2) Has not been declared by any court of competent jurisdiction as incompetent by reason of mental defect or disease unless a court of competent jurisdiction has subsequently declared the applicant competent.

(3) Has not been convicted of a crime of moral turpitude, with the board having the final determination on the interpretation of moral turpitude.

(4) Has not been convicted of a felony.

(5) Has successfully completed ~~pre-licensure~~pre-license education administered by an educational provider approved by the board.

(6) Has been a resident of this state for at least one year, as demonstrated by the applicant's Alabama driver license or Alabama nondriver identification card."

"§15-13-217

(a) A professional bondsman, professional surety bondsman, or recovery agent commencing business in any judicial circuit in this state on and after June 1, 2020, shall attend a 16-hour instructional course conducted by an educational provider approved by the board and pass an examination approved by the board and administered by an educational provider approved by the board. Upon completion of the course and passage of the examination, the individual shall be awarded a ~~pre-licensure~~pre-license examination certificate by the board, copies of which may be submitted to the presiding circuit judge, or other judicial authority,



617 along with the other requirements set forth in Section
618 15-13-159 or Section 15-13-160. Those professional bondsmen,
619 professional surety bondsmen, and recovery agents doing
620 business immediately prior to June 1, 2020, are exempt from
621 the initial instructional course and examination.

622 (b) Unless exempted pursuant to subsection (i), a
623 professional bondsman, professional surety bondsman, or
624 recovery agent making an annual filing in any circuit in this
625 state pursuant to Section 15-13-159 or Section 15-13-160 on
626 and after March 1, 2020, shall first complete eight hours of
627 continuing education conducted by an educational provider
628 approved by the board. A professional bail company owner, who
629 is at least 55 years of age and has five years of experience
630 in the profession, shall only be required to complete four
631 hours of continuing education. The educational provider
632 approved by the board shall provide the board with the name of
633 all professional bondsmen, professional surety bondsmen, or
634 recovery agents completing eight hours of continuing
635 education. Upon completion of the eight hours of continuing
636 education, the individual shall request issuance of an annual
637 continuing education certificate from the board, copies of
638 which may be submitted to the presiding circuit judge along
639 with the other requirements set forth in Section 15-13-159 or
640 Section 15-13-160.

641 (c) The instructional course, examination, or
642 continuing education courses shall be taught or sponsored by
643 an educational provider approved by the board, which must
644 apply annually for authority to offer such examination or



645 courses.

646 (d) A list of approved course providers shall be
647 published on the website of the board.

648 (e) The cost of the instructional course shall be set
649 by the approved course provider but shall not exceed five
650 hundred dollars (\$500) per course. Upon completion of the
651 instructional course, the approved course provider shall issue
652 an instructional course completion certificate in a form
653 approved by the board. This completion certificate, along with
654 the application fee, must be presented to the board in order
655 to take the ~~pre-licensure~~pre-license examination. An
656 instructional course completion certificate shall be valid for
657 a period of 12 months.

658 (f) The cost of continuing education courses shall be
659 set by the approved course provider but shall not exceed
660 seventy-five dollars (\$75) per hour. Any fee required to be
661 paid by a course provider for reporting continuing education
662 course completion to the board may be added to the maximum
663 charges provided in this subsection.

664 (g) Each professional bondsman, professional surety
665 bondsman, and recovery agent must renew his or her
666 certification with the board by completing eight hours of
667 approved continuing education prior to September 30 each year.
668 Late renewal within the next 12 months may be had by
669 completing the eight hours of continuing education and paying
670 a renewal license fee of twice the amount otherwise required.
671 If a professional bondsman, professional surety bondsman, or
672 recovery agent fails to renew a certification for a 12-month



period, the professional bondsman, professional surety bondsman, or recovery agent will be required to take the instructional course and examination to again become certified.

(h) The board, by rule, shall set the fees to be paid to the board in the administration of this section, not to exceed the maximum amounts set forth below:

(1)a. Application fee for a professional bondsman, professional surety bondsman, or a recovery agent, a nonrefundable fee to be paid to take the examination and for the issuance of the ~~pre-licensure~~pre-license examination certificate, per examination attempt: Up to five hundred dollars (\$500).

b. Application fee for a professional bail company or a professional surety company, a nonrefundable fee to be paid for the issuance of an initial license: Up to five hundred dollars (\$500). Payment of this fee does not alleviate the requirement that each individual professional bondsman, professional surety bondsman, and recovery agent be licensed under this chapter.

(2)a. Annual license renewal fee for a professional bondsman, professional surety bondsman, or recovery agent, to be paid to receive the annual continuing education certificate: From fifty dollars (\$50) up to five hundred dollars (\$500).

b. Annual license renewal fee for a professional bail company or a professional surety company, to be paid to receive the renewal license: Up to one hundred dollars (\$100).



701 (3) A late fee to be charged for any late license
702 renewal. The late fee shall be equal to the amount of the
703 license renewal fee.

704 (4) Renewal of an inactive license: Up to one hundred
705 dollars (\$100). The renewal is subject to the following
706 requirements:

707 a. A licensee may place their license into inactive
708 status at anytime and renew the inactive license during the
709 renewal period.

710 b. Failure to renew an inactive license will result in
711 a late fee added to the license renewal fee equal to the
712 amount of the license renewal fee.

713 c. The licensee may revert to active status once they
714 pay for an active license, pass a background check, and
715 complete the continuing education requirements.

716 (i) Any professional bondsman or professional bail
717 company owner who, on August 1, 2021, is at least 65 years of
718 age and has 15 years of experience in the profession, shall be
719 exempt from the continuing education requirements of this
720 article.

721 (j) The board shall adopt rules necessary to carry out
722 this section."

723 Section 2. This act shall become effective on October
724 1, 2026.