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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.

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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



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

136 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

137 Section 1. Sections 15-13-112, 15-13-159, 15-13-160,
138 15-13-201, 15-13-202, 15-13-203, 15-13-205, 15-13-210,
139 15-13-211, and 15-13-217, Code of Alabama 1975, are amended to
140 read as follows:



141 "§15-13-112

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

155 "§15-13-159

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

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



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

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

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

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

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



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

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

203 c. That any agency, company, corporation, or other
204 entity that represents the professional surety company in the
205 county, has no owners or other persons having a direct or
206 indirect financial interest in such agency, company,
207 corporation, or other entity, that have been convicted of a
208 felony or a crime involving moral turpitude. If any
209 personindividual having a direct or indirect financial
210 interest in such agency, company, corporation, or other entity
211 has been convicted of a felony or a crime involving moral
212 turpitude, then the affidavit or certification shall certify
213 that there has been such conviction, providing the name of the
214 personindividual convicted, and certify that the
215 personindividual convicted has been pardoned or has had a
216 restoration of civil rights.

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

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



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

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

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

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

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

252 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



281 judge the following:

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



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

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

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



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

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

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

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

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

364 e. That the professional bail company has no knowledge



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

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

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

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

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

390 a. The name of each authorized bail bond company.
391 b. The name of each principal attached to each
392 authorized bail bond company.



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

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

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

408 "§15-13-201

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

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

417 (1)(2) BOARD. Alabama Professional Bail Bonding Board.

418 (3) EMPLOYEE. a. Any individual who engages in the
419 performance of any of the duties of or for a professional bail
420 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



449 in a professional surety company.

450 ~~(5)~~(7) PROFESSIONAL SURETY COMPANY. An insurance
451 company, domestic or foreign corporation, or association
452 engaged in the business of insurance, or a surety with a bail
453 line of insurance to which has been issued a certificate of
454 authority or certificate of compliance by the Department of
455 Insurance to execute appearance bonds or bail bonds in
456 criminal cases in the state.

457 ~~(6)~~(8) RECOVERY AGENT. Any individual, other than an
458 attorney or law enforcement officer, utilized by a
459 professional surety company, professional bail company, or
460 professional bondsman to apprehend a defendant who was
461 released on bail and who violated the terms of his or her
462 bail."

463 "§15-13-202

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

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

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



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

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

499 "§15-13-203

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

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



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

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

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

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



533 list of four nominees.

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

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

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

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

559 "\$15-13-205

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



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

566 "§15-13-210

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

572 (1) His or her full name.

573 (2) His or her date of birth.

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

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

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

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

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

587 "§15-13-211

588 Each individual applicant shall meet all of the



589 following criteria, demonstrating that he or she:

590 (1) Is at least 21 years of age.

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

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

598 (4) Has not been convicted of a felony.

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

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

605 "§15-13-217

606 (a) A professional bondsman, professional surety
607 bondsman, or recovery agent commencing business in any
608 judicial circuit in this state on and after June 1, 2020,
609 shall attend a 16-hour instructional course conducted by an
610 educational provider approved by the board and pass an
611 examination approved by the board and administered by an
612 educational provider approved by the board. Upon completion of
613 the course and passage of the examination, the individual
614 shall be awarded a ~~pre-licensure~~pre-license examination
615 certificate by the board, copies of which may be submitted to
616 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



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

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

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

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

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

698 b. Annual license renewal fee for a professional bail
699 company or a professional surety company, to be paid to
700 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.