

HB302 ENGROSSED



1 HB302
2 7B15HVV-2
3 By Representative Brown
4 RFD: Boards, Agencies and Commissions
5 First Read: 21-Jan-26



HB302 Engrossed

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

A BILL
TO BE ENTITLED
AN ACT

Relating to bail and surety bonding; to amend 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; to require the Supreme Court of Alabama to require qualifying power of attorney documents issued by a professional surety company to be attached to all bail bond forms; to require a professional surety bondsman to be 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



HB302 Engrossed

29 person to be appointed by the Governor to the Alabama Bail
30 Bonding Board; to remove the requirement that a chair and vice
31 chair be elected each time a new member is appointed to the
32 Alabama Bail Bonding Board; to impose late fees on renewal
33 applications; to provide an additional late fee for license
34 renewal fees paid after the deadline; to require bondsman
35 license applicants to be a resident of this state; to provide
36 a process for placing a bondsman license in inactive status
37 and reverting to active status; and to make nonsubstantive,
38 technical revisions to update the existing code language to
39 current style.

40 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

41 Section 1. Sections 15-13-112, 15-13-159, 15-13-160,
42 15-13-201, 15-13-202, 15-13-203, 15-13-205, 15-13-210,
43 15-13-211, and 15-13-217, Code of Alabama 1975, are amended to
44 read as follows:

45 "§15-13-112

46 The Supreme Court of Alabama shall prescribe the
47 different forms used for bail bonds and shall publish the
48 forms in the Alabama Rules of Criminal Procedure. The supreme
49 court shall require an original qualifying power of attorney
50 to be attached to all bail bond forms. The original qualifying
51 power of attorney shall: (i) be issued by a professional
52 surety company; and (ii) specify the names of all agents that
53 may execute and bind the company to a bail undertaking and any
54 applicable limitations of the agents. ~~The Supreme Court~~ supreme
55 court may change the forms from time to time as the court
56 deems necessary but the forms and their terms shall conform to



HB302 Engrossed

57 the terms of this chapter or any other laws of the State of
58 Alabama."

59 "§15-13-159

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

71 (1) An original or certified copy of a certificate of
72 authority or certificate of compliance from the Department of
73 Insurance reflecting that the company is qualified to write a
74 bail line of insurance and that the company is in good
75 standing with the department.

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



HB302 Engrossed

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

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

99 a. That all appearance bonds shall be executed in the
100 name of the professional surety company as surety by the
101 agents listed or appointed in the qualifying power of attorney
102 presented to the court or any other qualifying powers of
103 attorney filed with the circuit clerk of the county.

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

107 c. That any agency, company, corporation, or other
108 entity that represents the professional surety company in the
109 county, has no owners or other persons having a direct or
110 indirect financial interest in such agency, company,
111 corporation, or other entity, that have been convicted of a
112 felony or a crime involving moral turpitude. If any



HB302 Engrossed

113 ~~person~~individual having a direct or indirect financial
114 interest in such agency, company, corporation, or other entity
115 has been convicted of a felony or a crime involving moral
116 turpitude, then the affidavit or certification shall certify
117 that there has been such conviction, providing the name of the
118 ~~person~~individual convicted, and certify that the
119 ~~person~~individual convicted has been pardoned or has had a
120 restoration of civil rights.

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

127 e. That no agents of the professional surety company
128 who have the authority to execute appearance bonds in its
129 behalf or any person having a financial interest, direct or
130 indirect, in the ownership or management of any agency,
131 company, corporation, or other entity that represents the
132 professional surety company in the execution of appearance
133 bonds, is an attorney, a judicial official, a person
134 authorized to accept an appearance bond, or an agent of an
135 attorney, judicial official, or person authorized to accept an
136 appearance bond.

137 f. The names and addresses of all persons, officers,
138 employees, and agents of the agency, company, corporation, or
139 other entity that represents the professional surety company
140 becoming surety on appearance bonds who have a direct or



HB302 Engrossed

141 indirect financial interest in the agency, company,
142 corporation, or other entity representing the professional
143 surety company and the nature and extent of each interest.

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

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

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

156 a. The name of each authorized surety company.

157 b. The name of each principal attached to each
158 authorized surety company.

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

161 (2) The circuit clerk shall submit the list of
162 authorized surety companies to the Alabama Professional Bail
163 Bonding Board.

164 (c) A professional surety bondsman may not own a
165 professional surety company until he or she has been licensed
166 as a professional surety bondsman for at least three years. If
167 the owner of a professional surety company dies or becomes
168 completely incapacitated, as determined by the board, his or



HB302 Engrossed

169 her professional surety company may be sold to an unlicensed
170 individual. The unlicensed individual shall have 90 calendar
171 days, from date of purchase, to obtain a license and shall
172 employ a minimum of one employee who has been licensed for at
173 least three consecutive years."

174 "§15-13-160

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

186 (1)a. ~~An original corporate surety bond or escrow~~
187 ~~agreement, filed and approved by the presiding circuit judge~~
188 ~~of the county in which the professional bail company executes~~
189 ~~or becomes surety on appearance bonds, in the amount of~~
190 ~~twenty-five thousand dollars (\$25,000)~~ one hundred thousand
191 dollars (\$100,000), guaranteeing the payment of all sums of
192 money that may become due by virtue of any judgment absolute
193 that may be rendered against the professional bail company on
194 a forfeiture entered by any court in the county. Corporate
195 surety bonds shall be executed only by a surety company that
196 at the time is operating and authorized to do business in the



HB302 Engrossed

197 this state and qualified to write bonds by the Department of
198 Insurance. The corporate surety bond shall provide that it may
199 be cancelled as to any future liability by the corporate
200 surety company or the professional bail company by giving 30
201 ~~days~~days' prior written notice of the cancellation to the
202 clerk of the circuit court in which the bond or instrument was
203 filed. A bank in this state shall be a party to all escrow
204 agreements, and those agreements shall provide that the
205 agreement may be cancelled as to any future liability only by
206 the professional bail company and bank by giving 30 days~~days'~~
207 prior written notice of the cancellation to the clerk of the
208 circuit court in which the escrow agreement or instrument is
209 filed. Once a professional bail company has filed an original
210 continuous corporate surety bond or escrow agreement with the
211 circuit clerk and it has been approved by the presiding
212 circuit judge, then the professional bail company does not
213 have to file any other original continuous corporate surety
214 bond or escrow agreement upon annual recertification. The
215 professional bail company shall submit an original certificate
216 from the insurance company that executed the corporate surety
217 bond reflecting that it is still in force or an original
218 letter from the bank stating the escrow agreement is still
219 effective and the monies are still held in trust. When any
220 professional bail company is annually recertifying, the
221 circuit clerk shall send the original corporate surety bond or
222 original escrow agreement with any cancellations received by
223 the circuit clerk to the presiding circuit judge for review
224 and approval.



HB302 Engrossed

225 b. Any new ~~original corporate surety bond or escrow~~
226 agreement made on or after ~~September 1, 2023~~October 1, 2026,
227 in a county with a population of 200,000 or more, shall
228 require ~~a surety bond or an~~ escrow agreement in the amount of
229 ~~fifty thousand dollars (\$50,000)~~one hundred thousand dollars
230 (\$100,000). This paragraph does not affect any corporate
231 surety bond or escrow agreement made before ~~September 1,~~
232 ~~2023~~October 1, 2026. Current escrow agreements and corporate
233 surety bonds shall remain at ~~twenty-five thousand dollars~~
234 ~~(\$25,000)~~one hundred thousand dollars (\$100,000) for any
235 renewal thereafter.

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

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

249 a. That all appearance bonds shall be executed in the
250 name of the professional bail company as surety by the agents
251 listed or appointed in the qualifying power of attorney,
252 letter, or other document presented to the court or any other



HB302 Engrossed

253 person so named in any future qualifying powers of attorney,
254 letters, or documents filed with the circuit clerk of the
255 county.

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

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

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

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

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

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



HB302 Engrossed

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

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

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

296 a. The name of each authorized bail bond company.

297 b. The name of each principal attached to each
298 authorized bail bond company.

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

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

304 (c) A professional bondsman may not own a professional
305 bail company until he or she has been licensed as a
306 professional bondsman for at least three years. If the owner
307 of a professional bail company dies or becomes completely
308 incapacitated, as determined by the board, his or her



HB302 Engrossed

309 professional bail bond company may be sold to an unlicensed
310 individual. The unlicensed individual shall have 90 calendar
311 days, from date of purchase, to obtain a license and shall
312 employ a minimum of one employee who has been licensed for at
313 least three consecutive years."

314 "§15-13-201

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

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

323 ~~(1)~~ (2) BOARD. Alabama Professional Bail Bonding Board.

324 (3) EMPLOYEE. a. Any individual who engages in the
325 performance of any of the duties of or for a professional bail
326 company or professional surety company, including, but not
327 limited to, clerical, stenographic, investigative, or
328 administrative duties, or any other work or responsibilities
329 under the contract of hire, express or implied, oral or
330 written, where the employer has the authority or right to
331 control or direct the employee in how the duties, work, or
332 responsibilities are carried out or performed.

333 b. The term includes any individual who has
334 communication or interaction with potential or actual
335 customers and any individual who is working as an apprentice.

336 c. The term does not include any person whose bail



HB302 Engrossed

337 bondsman license has been revoked.

338 ~~(2)~~ (4) PROFESSIONAL BAIL COMPANY. A person, individual
339 proprietor, partnership corporation, or other entity, other
340 than a professional surety company, that furnishes bail or
341 becomes surety for a person on an appearance bond and does so
342 for a valuable consideration.

343 ~~(3)~~ (5) PROFESSIONAL BONDSMAN. Any individual or agent
344 who is employed by a professional bail company or professional
345 surety company to solicit and execute appearance bonds or
346 actively seek bail bond business for or on behalf of a
347 professional bail company, including any individual who has a
348 direct or indirect ownership interest in a professional bail
349 company.

350 ~~(4)~~ (6) PROFESSIONAL SURETY BONDSMAN. Any individual who
351 is employed by a professional surety company to solicit and
352 execute appearance bonds or actively seek bail bond business
353 for or on behalf of a professional surety company, including
354 any individual who has a direct or indirect ownership interest
355 in a professional surety company.

356 ~~(5)~~ (7) PROFESSIONAL SURETY COMPANY. An insurance
357 company, domestic or foreign corporation, or association
358 engaged in the business of insurance, or a surety with a bail
359 line of insurance to which has been issued a certificate of
360 authority or certificate of compliance by the Department of
361 Insurance to execute appearance bonds or bail bonds in
362 criminal cases in the state.

363 ~~(6)~~ (8) RECOVERY AGENT. Any individual, other than an
364 attorney or law enforcement officer, utilized by a



HB302 Engrossed

365 professional surety company, professional bail company, or
366 professional bondsman to apprehend a defendant who was
367 released on bail and who violated the terms of his or her
368 bail."

369 "§15-13-202

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

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

382 (c) The board may issue an apprentice license, which
383 expires ~~120~~180 days after issuance, to any applicant who
384 satisfies all criteria for licensure except passing the
385 examination. The board may require an applicant for ~~licensure~~a
386 license as an apprentice to sign an affidavit, on a form
387 provided by the board, attesting that the applicant has no
388 felony convictions. An apprentice license shall only be issued
389 once, and a licensee who has previously possessed a
390 professional license may not receive a subsequent apprentice
391 license. The board, by rule, may also provide an age exception
392 to allow any applicant who is 19 or 20 years of age to work as



HB302 Engrossed

393 an apprentice until he or she reaches ~~the age of 21 years of~~
394 age. Before the expiration of his or her apprentice license,
395 an apprentice who is 19 or 20 years of age shall complete an
396 eight-hour continuing education instructional course conducted
397 by an educational provider approved by the Alabama
398 Professional Bail Bonding Board, at no cost to the apprentice.
399 The board may charge a fee, not exceeding fifty dollars (\$50),
400 for an apprentice license.

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

405 "§15-13-203

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

409 (1) Seven professional bondsmen, one from each of the
410 seven congressional districts of the state, nominated by the
411 Alabama Bail Bond Association and appointed by the Governor
412 from a list of not more than four nominees for each position
413 on the board. For the initial terms of office, the President
414 of the Alabama Bail Bond Association shall be the professional
415 bondsman member of the board who represents the congressional
416 district in which he or she resides. Each professional
417 bondsman member appointed to the board shall be the owner of a
418 professional bail bond company with at least five years of
419 experience. Except as otherwise provided, no two professional
420 bondsman members shall reside in the same congressional



HB302 Engrossed

421 district. If no professional bondsman is available for
422 nomination by the Alabama Bail Bond Association for a
423 congressional district, the Alabama Bail Bond Association
424 shall provide a list of four professional bondsman nominees
425 from the state ~~at large~~at-large to the Governor for that
426 congressional district, and the Governor shall appoint one of
427 those nominees to fill that position on the board.

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

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

437 (4) One serving sheriff, nominated by the Alabama
438 Sheriff's Association and appointed by the Governor from a
439 list of four nominees.

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

443 (b) The appointments to the board shall be for terms of
444 four years. The nominating and appointing authorities shall
445 coordinate their nominations and appointments ~~so that~~
446 ~~diversity of gender, race, and geographical areas is~~
447 reflective to assure the membership is inclusive and reflects
448 the racial, gender, geographic, urban, rural, and economic



HB302 Engrossed

449 diversity of the ~~makeup of this~~ state. Vacancies shall be
450 filled by appointment of the Governor for the unexpired
451 portion of the term.

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

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

465 "§15-13-205

466 At the initial meeting of the board ~~and each time a new~~
467 ~~member is appointed to the board~~, the members of the board
468 shall select from among their members a president chair to
469 preside over meetings of the board, a vice president chair to
470 preside in the absence of the president chair, and a
471 secretary."

472 "§15-13-210

473 (a) An application and all information on an
474 application for ~~licensure~~ a license pursuant to this article
475 shall be treated as confidential and shall be filed with the
476 board on forms prescribed by the board. The application shall



HB302 Engrossed

477 include all of the following information of the applicant:

478 (1) His or her full name.

479 (2) His or her date of birth.

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

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

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

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

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

493 "§15-13-211

494 Each individual applicant shall meet all of the
495 following criteria, demonstrating that he or she:

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

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

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

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



HB302 Engrossed

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

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

511 "§15-13-217

512 (a) A professional bondsman, professional surety
513 bondsman, or recovery agent commencing business in any
514 judicial circuit in this state on and after June 1, 2020,
515 shall attend a 16-hour instructional course conducted by an
516 educational provider approved by the board and pass an
517 examination approved by the board and administered by an
518 educational provider approved by the board. Upon completion of
519 the course and passage of the examination, the individual
520 shall be awarded a ~~pre-licensure~~pre-license examination
521 certificate by the board, copies of which may be submitted to
522 the presiding circuit judge, or other judicial authority,
523 along with the other requirements set forth in Section
524 15-13-159 or Section 15-13-160. Those professional bondsmen,
525 professional surety bondsmen, and recovery agents doing
526 business immediately prior to June 1, 2020, are exempt from
527 the initial instructional course and examination.

528 (b) Unless exempted pursuant to subsection (i), a
529 professional bondsman, professional surety bondsman, or
530 recovery agent making an annual filing in any circuit in this
531 state pursuant to Section 15-13-159 or Section 15-13-160 on
532 and after March 1, 2020, shall first complete eight hours of



HB302 Engrossed

533 continuing education conducted by an educational provider
534 approved by the board. A professional bail company owner, who
535 is at least 55 years of age and has five years of experience
536 in the profession, shall only be required to complete four
537 hours of continuing education. The educational provider
538 approved by the board shall provide the board with the name of
539 all professional bondsmen, professional surety bondsmen, or
540 recovery agents completing eight hours of continuing
541 education. Upon completion of the eight hours of continuing
542 education, the individual shall request issuance of an annual
543 continuing education certificate from the board, copies of
544 which may be submitted to the presiding circuit judge along
545 with the other requirements set forth in Section 15-13-159 or
546 Section 15-13-160.

547 (c) The instructional course, examination, or
548 continuing education courses shall be taught or sponsored by
549 an educational provider approved by the board, which must
550 apply annually for authority to offer such examination or
551 courses.

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

554 (e) The cost of the instructional course shall be set
555 by the approved course provider but shall not exceed five
556 hundred dollars (\$500) per course. Upon completion of the
557 instructional course, the approved course provider shall issue
558 an instructional course completion certificate in a form
559 approved by the board. This completion certificate, along with
560 the application fee, must be presented to the board in order



HB302 Engrossed

561 to take the ~~pre-licensure~~pre-license examination. An
562 instructional course completion certificate shall be valid for
563 a period of 12 months.

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

570 (g) Each professional bondsman, professional surety
571 bondsman, and recovery agent must renew his or her
572 certification with the board by completing eight hours of
573 approved continuing education prior to September 30 each year.
574 Late renewal within the next 12 months may be had by
575 completing the eight hours of continuing education and paying
576 a renewal license fee of twice the amount otherwise required.
577 If a professional bondsman, professional surety bondsman, or
578 recovery agent fails to renew a certification for a 12-month
579 period, the professional bondsman, professional surety
580 bondsman, or recovery agent will be required to take the
581 instructional course and examination to again become
582 certified.

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

586 (1)a. Application fee for a professional bondsman,
587 professional surety bondsman, or a recovery agent, a
588 nonrefundable fee to be paid to take the examination and for



HB302 Engrossed

589 the issuance of the ~~pre-licensure~~pre-license examination
590 certificate, per examination attempt: Up to five hundred
591 dollars (\$500).

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

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

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

607 (3) A late fee to be charged for any late license
608 renewal. The late fee shall be equal to the amount of the
609 license renewal fee.

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

613 a. A licensee may place their license into inactive
614 status at anytime and renew the inactive license during the
615 renewal period.

616 b. Failure to renew an inactive license will result in



HB302 Engrossed

617 a late fee added to the license renewal fee equal to the
618 amount of the license renewal fee.

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

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

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

629 Section 2. This act shall become effective on October
630 1, 2026.

