

HB302 ENROLLED



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



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1 Enrolled, An Act,

2

3 Relating to bail and surety bonding; to amend Sections
4 15-13-112, 15-13-159, 15-13-160, 15-13-201, 15-13-202,
5 15-13-203, 15-13-205, 15-13-210, 15-13-211, and 15-13-217,
6 Code of Alabama 1975; to require the Supreme Court of Alabama
7 to require qualifying power of attorney documents issued by a
8 professional surety company to be attached to all bail bond
9 forms; to require a professional surety bondsman to be
10 licensed for at least three years before he or she could own
11 his or her own professional surety company; to require circuit
12 clerks to report the authorized professional bail bond
13 companies within 30 days of the close of annual
14 recertification; to provide that a professional bail company
15 may only guarantee payments to the court through an escrow
16 agreement; to define the terms "apprentice" and "employee"; to
17 extend the apprentice license expiration to 180 days; to
18 require 19 or 20 year old apprentice bondsmen to complete an
19 instructional course; to provide that judges and clerks
20 appointed by the Governor to the Alabama Bail Bonding Board
21 may be presently serving, supernumerary, or retired; to
22 provide for the appointment of one serving sheriff and one lay
23 person to be appointed by the Governor to the Alabama Bail
24 Bonding Board; to remove the requirement that a chair and vice
25 chair be elected each time a new member is appointed to the
26 Alabama Bail Bonding Board; to impose late fees on renewal
27 applications; to provide an additional late fee for license
28 renewal fees paid after the deadline; to require bondsman



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29 license applicants to be a resident of this state; to provide
30 a process for placing a bondsman license in inactive status
31 and reverting to active status; and to make nonsubstantive,
32 technical revisions to update the existing code language to
33 current style.

34 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

35 Section 1. Sections 15-13-112, 15-13-159, 15-13-160,
36 15-13-201, 15-13-202, 15-13-203, 15-13-205, 15-13-210,
37 15-13-211, and 15-13-217, Code of Alabama 1975, are amended to
38 read as follows:

39 "§15-13-112

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

53 "§15-13-159

54 (a) No professional surety company shall execute or
55 become surety on any appearance bond in this state, unless it
56 has an order granting authorization to become professional



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57 surety on any bail. The order granting the authorization shall
58 be reissued annually, prior to January 1 of each year, by the
59 presiding circuit judge of the county in which the company
60 desires to execute bail or appearance bonds. Prior to the
61 judge's issuance of the original order and no later than
62 December 1 of each year, thereafter, professional surety
63 companies shall submit annually to the presiding circuit judge
64 the following:

65 (1) An original or certified copy of a certificate of
66 authority or certificate of compliance from the Department of
67 Insurance reflecting that the company is qualified to write a
68 bail line of insurance and that the company is in good
69 standing with the department.

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

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



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

93 a. That all appearance bonds shall be executed in the
94 name of the professional surety company as surety by the
95 agents listed or appointed in the qualifying power of attorney
96 presented to the court or any other qualifying powers of
97 attorney filed with the circuit clerk of the county.

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

101 c. That any agency, company, corporation, or other
102 entity that represents the professional surety company in the
103 county, has no owners or other persons having a direct or
104 indirect financial interest in such agency, company,
105 corporation, or other entity, that have been convicted of a
106 felony or a crime involving moral turpitude. If any
107 ~~person~~individual having a direct or indirect financial
108 interest in such agency, company, corporation, or other entity
109 has been convicted of a felony or a crime involving moral
110 turpitude, then the affidavit or certification shall certify
111 that there has been such conviction, providing the name of the
112 ~~person~~individual convicted, and certify that the



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113 ~~person~~individual convicted has been pardoned or has had a
114 restoration of civil rights.

115 d. That the professional surety company has no
116 knowledge of forfeitures or delinquent bail bond posting fees
117 that have been final for more than 30 days and that have not
118 been paid to the clerk of the court arising out of surety
119 undertaking, and that the professional surety company has no
120 petitions, motions, or other litigation matters pending.

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

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

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



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141 in accordance with this chapter.

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

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

150 a. The name of each authorized surety company.

151 b. The name of each owner attached to each authorized
152 surety company.

153 c. All final forfeitures and bail bond posting fees
154 owed to the court by each surety company which are more than
155 30 days past due.

156 (2) The circuit clerk shall submit the list of
157 authorized surety companies to the presiding judge of the
158 circuit and the Alabama Professional Bail Bonding Board.

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



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169 "§15-13-160

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

181 (1)a. An ~~original corporate surety bond or escrow~~
182 agreement, filed and approved by the presiding circuit judge
183 of the county in which the professional bail company executes
184 or becomes surety on appearance bonds, in the amount of
185 twenty-five thousand dollars (\$25,000), guaranteeing the
186 payment of all sums of money that may become due by virtue of
187 any judgment absolute that may be rendered against the
188 professional bail company on a forfeiture entered by any court
189 in the county. Corporate surety bonds shall be executed only
190 by a surety company that at the time is operating and
191 authorized to do business in ~~the~~ this state and qualified to
192 write bonds by the Department of Insurance. The corporate
193 surety bond shall provide that it may be cancelled as to any
194 future liability by the corporate surety company or the
195 professional bail company by giving 30 ~~days~~ days' prior written
196 notice of the cancellation to the clerk of the circuit court



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

219 b. Any new ~~original corporate surety bond or escrow~~
220 agreement made on or after ~~September 1, 2023~~ October 1, 2026,
221 in a county with a population of 200,000 or more, shall
222 require ~~a surety bond or an~~ an escrow agreement in the amount of
223 ~~fifty thousand dollars (\$50,000)~~ one hundred thousand dollars
224 (\$100,000). Any new escrow agreement made on or after October



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225 1, 2026, in a county with a population of less than 200,000,
226 shall require an escrow agreement in the amount of fifty
227 thousand dollars (\$50,000). This paragraph does not affect any
228 corporate surety bond or escrow agreement made before
229 ~~September 1, 2023~~October 1, 2026. Current escrow agreements
230 and corporate surety bonds shall remain at twenty-five
231 thousand dollars (\$25,000) for any renewal thereafter. If a
232 professional bail company transfers its escrow agreement to a
233 different bank with the court's approval, the escrow rate
234 shall remain the same.

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

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

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



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253 letters, or documents filed with the circuit clerk of the
254 county.

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

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

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

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

269 e. That the professional bail company has no knowledge
270 of any forfeiture or delinquent bail bond posting fees that
271 ~~has~~have been made final for more than 30 days and that ~~has~~have
272 not been paid arising out of surety undertakings and as to
273 which the professional bail company has no petitions, motions,
274 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.



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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 owner attached to each authorized
298 bail bond company.

299 c. All final forfeitures and bail bond posting fees
300 owed to the court by each company which are more than 30 days
301 past due.

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

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



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

315 "§15-13-201

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

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

324 ~~(1)~~ (2) BOARD. Alabama Professional Bail Bonding Board.

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

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



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

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

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

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

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

364 ~~(6)~~ (8) RECOVERY AGENT. Any individual, other than an



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

370 "§15-13-202

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

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

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



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

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

406 "§15-13-203

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

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



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

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

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

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

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

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



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449 the racial, gender, geographic, urban, rural, and economic
450 diversity of the ~~makeup of this~~ state. Vacancies shall be
451 filled by appointment of the Governor for the unexpired
452 portion of the term.

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

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

466 "§15-13-205

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

473 "§15-13-210

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



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477 board on forms prescribed by the board. The application shall
478 include all of the following information of the applicant:

479 (1) His or her full name.

480 (2) His or her date of birth.

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

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

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

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

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

494 "§15-13-211

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

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

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

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



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

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

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

512 "§15-13-217

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

529 (b) Unless exempted pursuant to subsection (i), a
530 professional bondsman, professional surety bondsman, or
531 recovery agent making an annual filing in any circuit in this
532 state pursuant to Section 15-13-159 or Section 15-13-160 on



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533 and after March 1, 2020, shall first complete eight hours of
534 continuing education conducted by an educational provider
535 approved by the board. A professional bail company owner, who
536 is at least 55 years of age and has five years of experience
537 in the profession, shall only be required to complete four
538 hours of continuing education. The educational provider
539 approved by the board shall provide the board with the name of
540 all professional bondsmen, professional surety bondsmen, or
541 recovery agents completing eight hours of continuing
542 education. Upon completion of the eight hours of continuing
543 education, the individual shall request issuance of an annual
544 continuing education certificate from the board, copies of
545 which may be submitted to the presiding circuit judge along
546 with the other requirements set forth in Section 15-13-159 or
547 Section 15-13-160.

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

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

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



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561 the application fee, must be presented to the board in order
562 to take the ~~pre-licensure~~pre-license examination. An
563 instructional course completion certificate shall be valid for
564 a period of 12 months.

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

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

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

587 (1)a. Application fee for a professional bondsman,
588 professional surety bondsman, or a recovery agent, a



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589 nonrefundable fee to be paid to take the examination and for
590 the issuance of the ~~pre-licensure~~pre-license examination
591 certificate, per examination attempt: Up to five hundred
592 dollars (\$500).

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

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

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

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

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

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



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617 b. Failure to renew an inactive license will result in
618 a late fee added to the license renewal fee equal to the
619 amount of the license renewal fee.

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

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

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

630 Section 2. This act shall become effective on October
631 1, 2026.



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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 26-Feb-26, as amended.

John Treadwell
Clerk

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Senate	<hr/> 08-Apr-26 <hr/>	Amended and Passed
House	<hr/> 09-Apr-26 <hr/>	Concurred in Senate Amendment