

Superseded 5/10/2016

31A-35-701 Prohibited acts.

- (1) A bail bond producer or bail bond surety may not:
 - (a) solicit business in or about:
 - (i) any place where persons in the custody of the state or any local law enforcement or correctional agency are confined; or
 - (ii) any court;
 - (b) pay a fee or rebate or give or promise anything of value to any person in order to secure a settlement, compromise, remission, or reduction of the amount of any undertaking or bail bond;
 - (c) pay a fee or rebate or give anything of value to an attorney in regard to any bail bond matter, except payment for legal services actually rendered for the bail bond producer or bail bond surety;
 - (d) pay a fee or rebate or give or promise anything of value to the principal or anyone in the principal's behalf; or
 - (e) engage in any other act prohibited by the commissioner by rule.
- (2) The following persons may not act as bail bond producers and may not, directly or indirectly, receive any benefits from the execution of any bail bond:
 - (a) a person employed at any jail, correctional facility, or other facility used for the incarceration of persons;
 - (b) a peace officer;
 - (c) a judge; and
 - (d) a trusty or prisoner incarcerated in any jail, correctional facility, or other facility used for the incarceration of persons.
- (3) A bail bond producer may not:
 - (a) sign or countersign in blank any bail bond; or
 - (b) give the power of attorney to, or otherwise authorize anyone to, countersign in the bail bond producer's name to a bail bond.
- (4) A bail bond producer may not advertise or hold himself out to be a bail bond surety.
- (5) The following persons or members of their immediate families may not solicit business on behalf of a bail bond surety or bail bond producer:
 - (a) a person employed at any jail, correctional facility, or other facility used for the incarceration of persons;
 - (b) a peace officer;
 - (c) a judge; and
 - (d) a trusty or prisoner incarcerated in any jail, correctional facility, or other facility used for the incarceration of persons.