



House of Representatives *State of Utah*

W030 STATE CAPITOL COMPLEX • P.O. BOX 145030
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February 17, 2005

Mr. Speaker:

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 122**, BAIL BOND AMENDMENTS, by Representative K. Gibson, with the following amendments:

1. *Page 1, Lines 14 through 19:*

14 department {~~;~~
15 ~~—> establishes a fee to be collected at the jail on each bail bond written by a~~
~~bail bond~~
16 ~~surety and directs the disposition of that fee; and~~
17 ~~—> directs a portion of that fee to the Departments of Insurance and Public~~
~~Safety for~~
18 ~~paying the costs of the commission and for investigating and resolving bail bond~~
19 ~~complaints and conducting administrative investigations} .~~

2. *Page 2, Lines 30 through 32:*

30 {~~31A-2-405, Utah Code Annotated 1953~~
31 ~~Uncodified Material Affected:~~
32 ~~ENACTS UNCODIFIED MATERIAL}~~

3. *Page 2, Lines 52 through 55:*

52 (1) (a) There is created within the department the Joint Bail Bond Commission
53 comprised of {~~nine~~} ~~ten~~ members:
54 (i) {~~two~~} ~~three~~ members {~~appointed~~} ~~elected~~ by the Utah
Association of Professional Bondsmen and
55 Agents;

4. *Page 4, Line 97 through Page 5, Line 131:*

97 {~~(4) recommend to the Legislature appropriate allocation of the fees~~
~~collected in Section~~
98 ~~31A-2-405;~~}

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99 ~~{(5)}~~ (4) coordinate the efforts of the organizations represented in
 resolving issues affecting
100 bail bond services; and
101 ~~{(6)}~~ (5) perform other duties as provided in this title.
102 ~~{Section 5. Section 31A-2-405 is enacted to read:~~
103 ~~— 31A-2-405. Bail bond fee -- Disposition.~~
104 ~~— (1) (a) Each bail bond written in this state by a bail bond surety is subject to a~~
 fee of
105 \$10.
106 ~~— (b) The fee shall be collected at the jail at the time the bail bond is given to the~~
 jail.
107 ~~— (c) The jail shall monthly:~~
108 ~~— (i) send \$3.25 of each fee to the department as dedicated credits;~~
109 ~~— (ii) send \$1.75 of each fee to the Department of Public Safety as dedicated~~
 credits; and
110 ~~— (iii) retain \$5 of each fee to assist in paying for costs of collecting and~~
 processing the
111 fee and providing bail services in the jail.
112 ~~— (2) (a) The department shall use the dedicated credits it receives under~~
 Subsection (1)
113 to:
114 ~~— (i) investigate and resolve bail bond complaints;~~
115 ~~— (ii) investigate violations of state law relating to bail bond licensees;~~
116 ~~— (iii) pay the administrative costs of the commission; and~~
117 ~~— (iv) employ investigators to conduct investigations required under this~~
 Subsection
118 ~~(2)(a):~~
119 ~~— (b) The Department of Public Safety shall use the dedicated credits it receives~~
 under
120 Subsection (1) to:
121 ~~— (i) investigate and resolve bail bond enforcement agent complaints;~~
122 ~~— (ii) investigate violations of the state law pertaining to bail enforcement agent~~
123 licensees; and
124 ~~— (iii) employ investigators to conduct investigations required under this~~



- Subsection**
- 125 ~~(2)(b):~~
- 126 ~~— Section 6. Legislative intent:~~
- 127 ~~— It is the intent of the Legislature that:~~
- 128 ~~— (1) the Utah Insurance Department use the dedicated credit revenues it receives~~
~~under~~
- 129 ~~Section 31A-2-405 to pay the expenses of the board and to hire investigators; and~~
- 130 ~~— (2) the Department of Public Safety use the dedicated credit revenues it~~
~~receives under~~
- 131 ~~Section 31A-2-405 to hire investigators.~~ }

Respectfully,

Brad L. Dee
Committee Chair

Voting: 9-0-2

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