

Representative Curtis Oda proposes the following substitute bill:

BAIL BOND RECOVERY ACT AMENDMENTS

2016 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Curtis Oda

Senate Sponsor: Lincoln Fillmore

LONG TITLE

General Description:

This bill amends the Bail Bond Recovery Act.

Highlighted Provisions:

This bill:

► provides that the hours of experience required for licensure as a bail enforcement agent or a bail recovery agent shall be completed in Utah.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53-11-109, as enacted by Laws of Utah 1998, Chapter 257

53-11-111, as enacted by Laws of Utah 1998, Chapter 257

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **53-11-109** is amended to read:

53-11-109. Licensure -- Bail enforcement agent.



26 (1) (a) In addition to the requirements in Sections 53-11-108 and 53-11-110, an
27 applicant for licensure as a bail enforcement agent shall have a minimum of 2,000 hours of
28 experience in Utah consisting of either actual bail recovery work, or work as a law enforcement
29 officer for a federal, state, or local governmental agency.

30 (b) The applicant shall substantiate the experience claimed under Subsection (1) as
31 qualifying experience and shall provide:

32 (i) the exact details as to the character and nature of the experience on a form
33 prescribed by the department; and

34 (ii) certification by the applicant's employers, which is subject to independent
35 verification by the board.

36 (c) If an applicant is unable to supply written certification of experience from an
37 employer in whole or in part, an applicant may offer written certification from persons other
38 than an employer covering the same subject matter for consideration by the board.

39 (d) The burden of proving completion of the required experience is on the applicant.

40 (2) An applicant for license renewal shall have completed not less than eight hours of
41 continuing classroom instruction.

42 Section 2. Section 53-11-111 is amended to read:

43 **53-11-111. Licensure -- Bail recovery agent -- Requirements and limitations.**

44 (1) (a) In addition to the requirements in Sections 53-11-108 and 53-11-113, an
45 applicant for licensure as a bail recovery agent shall meet all of the requirements under Section
46 53-11-109, but instead of the experience requirement under Subsection 53-11-109(1)(a), a bail
47 recovery agent applicant shall have a minimum of 1,000 hours of experience in Utah consisting
48 of either actual bail recovery work, or work as a law enforcement officer for a federal, state, or
49 local governmental agency.

50 (b) The applicant shall substantiate the experience claimed under Subsection (1) as
51 qualifying experience and shall provide:

52 (i) the exact details as to the character and nature of the experience on a form
53 prescribed by the department; and

54 (ii) certification by the applicant's employers, which is subject to independent
55 verification by the board.

56 (c) If an applicant is unable to supply written certification of experience from an

57 employer in whole or in part, an applicant may offer written certification from persons other
58 than an employer covering the same subject matter for consideration by the board.

59 (d) The burden of proving completion of the required experience is on the applicant.

60 (2) An applicant for license renewal shall have completed not less than eight hours of
61 continuing classroom instruction.

62 (3) A bail recovery agent may work as a licensee under this chapter only as an
63 employee of or as an independent contractor with a bail bond agency. A bail recovery agent
64 may not:

65 (a) advertise his services;

66 (b) provide services as a licensee under this chapter directly for members of the public;

67 or

68 (c) employ or hire as independent contractors bail enforcement agents, bail recovery
69 agents, or bail recovery apprentices.