

S.B. 105

BAIL AMENDMENTS

Senator **Lyle W. Hillyard** proposes the following amendments:

1. *Page 5, Line 130:*

130 (b) owns not less than 10% of the bail bond agency.

2. *Page 9, Line 250:*

250 suspending, revoking, and reinstating of bail bond ~~{-surety company}~~ agency license.

3. *Page 11, Lines 323 through 325:*

323 (3) A bail bond surety agency or surety insurer may not allow any person who is not a bail
324 bond producer to engage in the bail bond ~~{-surety}~~ insurance business on the bail bond [surety's]
325 agency's or surety insurer's behalf, except for individuals:

4. *Page 12, Line 344:*

344 (i) (A) a ~~{-current}~~ financial statement for the current year :

5. *Page 12, Line 353:*

353 (ii) a copy of the applicant's federal and state income tax ~~{-return}~~ returns for the
preceding two years, but

6. *Page 12, Lines 359 through 360:*

359 (B) [an] (I) a certified appraisal [dated not more than two years prior to the date of
360 application:] made ~~{-fewer}~~ not more than than six months prior to licensure for each parcel and a
title report

7. *Page 12, Lines 363 through 364:*

363 (II) a certified appraisal report ~~{-or a current tax notice}~~ and a title letter or report, or a
364 current abstract of title from the county recorder if the bail bond agency is in its second or

8. *Page 14, Lines 403 through 404:*

403 (1) (a) A license under this chapter expires ~~{-}~~ + annually ~~{-}~~ + on August 14. To renew its
404 license under this chapter, on or before July 15 a bail bond ~~{-surety company}~~ agency shall:

9. Page 15, Line 435:

435 (3) The department shall at the end of each quarter provide to the board an itemized

10. Page 20, Line 590:

590 (ii) telephone number; ~~{-or-}~~ and

11. Page 20, Lines 592 through 595:

592 ~~{(c) All forms required to be filed with the department pursuant to Section 31A-35-607-~~

593 ~~by the bail bond agency shall contain the address, telephone number, and business email~~

594 ~~address as changed under Subsection (1)(d) within 20 days of the change.}~~

595 ~~{+}~~ (e) ~~{+}~~ ~~{-f)}~~ This section does not prohibit a bail bond [surety company] agency from

12. Page 23, Line 693:

693 (ii) a form shall include the address, telephone number, and business email address of the bail bond agency and the surety insurer;

(iii) the surety insurer shall file a form on behalf of each bail bond [surety company]

13. Page 23, Line 695:

695 ~~{(iii)}~~ (iv) once a filing is filed with the commissioner, it is the responsibility of the surety

14. Page 23, Line 698:

698 ~~{(iv)}~~ (v) a bail bond [surety company] agency and its bail bond producers are prohibited from using a

15. Page 23, Line 700:

700 ~~{(v)}~~ (vi) a bail bond [surety company] agency and its bail bond producers are prohibited from making

16. Page 23, Line 706:

706 (ii) a form shall include the address, telephone number, and business email address of the bail bond agency;

(iii) once a filing is filed with the commissioner, it is the responsibility of the bail bond

17. Page 23, Line 708:

708 ~~{(iii)}~~ (iv) a bail bond producer is prohibited from using a form that has not been filed by the

18. Page 24, Line 710:

710 {~~(iv)~~} (v) a bail bond producer is prohibited from making changes to a form that is filed by

19. Page 24, Line 728:

728 (c) reimburse [himself] the bail bond agency or bail bond producer for actual expenses, as described in

20. Page 24, Line 730:

730 (d) [~~to~~] reimburse [himself] the bail bond agency or bail bond producer, or to establish a right of action

21. Page 25, Line 748:

748 and the bail bond agency's employees by reason of the principal's breach.

22. Page 28, Line 843:

843 insurance business in accordance with this chapter, a bail bond {~~surety~~} agency or bail bond producer:

23. Page 32, Lines 986 through 987:

986 (d) Any suspended or deferred sentencing is not the responsibility of the surety and the
987 bail bond is exonerated without any motion, upon acceptance of the court and the defendant of a

24. Page 37, Line 1138:

1138 (d) ensure that the name, address, business email address, and telephone number of the surety or its agent as

25. Page 38, Line 1148:

1148 and address or the current name and address of the {~~surety's agent~~} bail bond agency are on the bail bond in the