

SUBJECT: Requiring bail bondsmen to show county of licensure in advertisements

COMMITTEE: Criminal Jurisprudence — committee substitute recommended

VOTE: 8 ayes — Hinojosa, Dunnam, Talton, Garcia, Green, Kitchen, Martinez Fischer, Shields

0 nays

1 absent — Keel

WITNESSES: For — David Hudson, Tarrant County District Attorney's Office; Seth Mitchell, Bexar County Bail Bond Board and Bexar County Commissioners Court; *Registered but did not testify*: Kathleen Braddock, Harris County District Attorney's Office; Reagan Greer, Bexar County Bail Bond Board; Sgt. Bruce Carr, Harris County Sheriff's Department

Against — None

On — Rodney Vannerson, Aaron Bail Bonds

BACKGROUND: Bail bondsmen must be licensed in the counties in which they issue bonds. Each county has different court rules and procedures. Licensure ensures that local bondsmen understand a county's specific rules and procedures and that they have adequate assets against which to pledge their bonds. Some counties have found that bail bondsmen advertise in local publications although they are licensed in a different county.

Occupations Code, sec. 1704.303 prohibits a person required to be licensed under the Regulation of Bail Bond Sureties Act from executing a bail bond without a license or from advertising as a bail bond surety without a license. An offense under this section is a Class C misdemeanor, punishable by a maximum fine of \$500.

DIGEST: CSHB 2856 would require that anyone advertising as a bail bond surety list in the advertisement the county or counties in which the person held the bail bond surety license. The bill would make a violation of this section of the

Occupations Code a Class B misdemeanor, punishable by up to 180 days in jail and/or a maximum fine of \$2,000.

This bill would take effect September 1, 2001, and would apply only to an offense committed on or after that date.

NOTES:

The bill as filed would have prohibited a person from advertising as a bail bond surety in a county unless the person held a license issued by a bail bond board in that county. The committee substitute would allow bail bondsmen to advertise in multicounty or statewide publications as long as they listed their counties of licensure.