

BILL ANALYSIS

Senate Research Center
77R12424 GJH-D

H.B. 2856
By: Martinez Fischer (Armbrister)
Criminal Justice
5/9/2001
Engrossed

DIGEST AND PURPOSE

Under current law, the licensure of bail bond sureties (surety) is conferred by each individual county's bail bond board to ensure that licensees abide by local court rules and procedures and to verify that licensees have sufficient assets against which to pledge their bonds. A county bail bond board has the authority to supervise and regulate each phase of the bonding business in the county. This ensures that licensed sureties are in compliance with and aware of local practices. There is some ambiguity regarding whether a surety may advertise in a county in which the surety is not licensed. H.B. 2856 clarifies that a bail bond surety may not advertise as a surety without holding a bail bond surety license and listing in the advertisement the county or counties in which the license is held and increases the penalty for failure to do so.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 1704.303(b) and (c), Occupations Code, to prohibit a person from advertising as a bail bond surety unless the person holds a license issued under this chapter and lists in the advertisement the county or counties in which the person holds a bail bond surety license.

SECTION 2. Effective date: September 1, 2001.

SECTION 3. Makes application of this Act prospective.