

STATE OF OKLAHOMA

1st Session of the 43rd Legislature (1991)

SENATE BILL NO. 561

BY: STIPE

AS INTRODUCED

AN ACT RELATING TO PROFESSIONS AND OCCUPATIONS;

AMENDING 59 O.S. 1981, SECTION 1303, AS LAST
AMENDED BY SECTION 5, CHAPTER 211, O.S.L. 1987 (59
O.S. SUPP. 1990, SECTION 1303), WHICH RELATES TO
BAIL BONDSMAN LICENSE; DELETING CERTAIN EXEMPTION
FROM WRITTEN EXAMINATION; AND DECLARING AN
EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 59 O.S. 1981, Section 1303, as
last amended by Section 5, Chapter 211, O.S.L. 1987 (59 O.S. Supp.
1990, Section 1303), is amended to read as follows:

Section 1303. A. No person shall act in the capacity of a bail
bondsman or perform any of the functions, duties or powers
prescribed for bail bondsmen under the provisions of the act unless
that person shall be qualified and licensed as provided in this act:
Provided, however, that none of the provisions or terms of this
section shall prohibit any individual or individuals from (1)
pledging real or other property as security for a bail bond for
himself or another in judicial proceedings who does not receive, or
is not promised a fee or charge for his services provided such
person shall not be permitted to make in excess of ten bonds per

year or, (2) executing any bail bond for an insurer, pursuant to a bail bond service agreement entered into between such insurer and any automobile club or association, financing institution, insurance company or other organization or association, on behalf of a person required to furnish bail in connection with any violation of law arising out of the use of a motor vehicle.

B. No license shall be issued except in compliance with this act and none shall be issued except to an individual. License renewals shall be granted subject to all other provisions of this act: ~~Provided, that upon an affirmative showing to the Insurance Commissioner in writing by an individual that he is an all lines fire and casualty agent as defined in paragraph 10 of Section 1301 of this title, he shall not be required to take a written examination, but a surety bondsman license shall be issued to such individual upon making the application and payment of fee as herein required. Such individual shall be subject to and governed by all laws, rules and regulations contained herein relating to bail bondsmen, when engaged in the activities thereof.~~

A corporation as such shall not be licensed. Nothing herein contained shall be construed as repealing Section 11 of Title 5 of the Oklahoma Statutes; and it is further provided that licensed attorneys are prohibited from signing any bonds as surety in any civil or criminal action pending or about to be filed in any court of this state.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.