

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

HOUSE BILL 2057

By: Trebilcock

AS INTRODUCED

An Act relating to bail bondsmen; amending 59 O.S. 2001, Section 1320, which relates to registration of license for bail bondsmen; modifying language; providing for appointment of surety bondsmen under certain circumstances; prohibiting appointment and writing of bonds under certain circumstances; and providing an effective date.

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

SECTION 1. AMENDATORY 59 O.S. 2001, Section 1320, is amended to read as follows:

Section 1320. A. No bail bondsman shall become a surety on an undertaking unless ~~he~~ the bondsman has first registered ~~his~~ the license in the office of the sheriff and with the clerk of the district court in the county in which the bondsman resides or offices, but not both. In the county in which a bondsman registers ~~his~~ the license, ~~he~~ the bondsman shall provide the court clerk with proof that ~~he~~ the bondsman is a resident of ~~said~~ the county or that ~~he~~ the bondsman offices in ~~said~~ that county. The court clerk of the county shall provide a list of bondsmen permitted to write surety in that county to the judges and law enforcement offices of that county. In any county not having a licensed bondsman authorized to do business within ~~said~~ that county, the court having jurisdiction shall allow and fix bail.

A surety bondsman shall also file a certified copy of ~~his~~ the appointment by power of attorney from the insurer which ~~he~~ the bondsman represents as agent with each of said officers. A fee of Ten Dollars (\$10.00) shall be paid to the district court clerk for

each county in which the bail bondsman registers ~~his~~ the license. The fee shall be payable annually by the date of license renewal. The clerk of the district court and the sheriff shall not permit the registration of a bail bondsman unless ~~such~~ the bondsman is currently licensed by the Insurance Commissioner under the provisions of Section 1301 et seq. of this title.

B. Notwithstanding the foregoing provisions of this section, a bondsman may write bonds on no more than ten defendants per year in each of the remaining seventy-six counties of this state in which the bondsman cannot register ~~his~~ a license. Provided, however, a bondsman shall not be limited to writing bonds on only ten defendants per year in a county which does not have a licensed bondsman registered in ~~said~~ that county. The bondsman shall advise the court clerk of each ~~such~~ county in writing of ~~his~~ the intention of the bondsman to write bonds in the county and shall file a certified copy of ~~his~~ the license with and pay a fee of Ten Dollars (\$10.00) to each ~~such~~ court clerk.

C. There shall be no limit on the number of surety bondsmen who may, by power of attorney, be appointed by a professional bondsman in the home county of the bondsman, which county shall, by choice of the bondsman, be where the bondsman resides or where the bondsman has an office, but not in any event more than one county. However, no surety bondsman may be appointed by a professional bondsman outside of the home county of the bondsman and, in keeping with the intent of subsection B of this section, no more than ten (10) bonds per year may be written in any county outside the home county of the professional bondsman by either the professional bondsman, the appointed surety of the bondsman, or any combination of them, or all of them combined.

SECTION 2. This act shall become effective November 1, 2005.

50-1-6097            GRS            01/18/05