

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 SENATE BILL 1202

By: Burrage

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5
6 AS INTRODUCED

7 An Act relating to bondsman; amending 59 O.S. 2011,
8 Section 1320, which relates to registration of
9 license; modifying language; making gender neutral;
10 permitting bondsmen to write bonds in all counties;
11 requiring filing of certified copy of insurer
12 appointment in certain counties for certain purpose;
13 requiring filing of certified copy of license in
14 certain counties for certain purpose; providing
15 procedure for intent to write bonds in certain
16 counties; deleting limitation on number of bonds;
17 setting certain limitation on amount of bonds written
18 per year; providing an effective date; and declaring
19 an emergency.

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

21 SECTION 1. AMENDATORY 59 O.S. 2011, Section 1320, is
22 amended to read as follows:

23 Section 1320. A. 1. No bail bondsman shall become a surety on
24 an undertaking unless ~~he~~ the bondsman has first registered his or
her license in the office of the sheriff ~~and~~ or 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~~ a license, ~~he~~ the bondsman shall provide the court clerk with

1 proof that he or she is a resident of ~~said~~ the county or that he or
2 she offices in ~~said~~ the county.

3 2. The court clerk of the county shall provide a list of
4 bondsmen permitted to write surety in ~~that~~ the county to the judges
5 and law enforcement offices of ~~that~~ the county. In any county not
6 having a licensed bondsman authorized to do business within ~~said~~ the
7 county, the court having jurisdiction shall allow and fix bail.

8 3. A surety bondsman shall ~~also~~ file a certified copy of his or
9 her appointment by power of attorney from the insurer which ~~he~~ the
10 bondsman represents as agent with each of ~~said~~ the officers
11 designated in paragraph 1 of this subsection and with the court
12 clerk when the bondsman intends to write bonds pursuant to
13 subsection B of this section. A fee of Ten Dollars (\$10.00) shall
14 be paid to the district court clerk for each county in which the
15 bail bondsman registers his or her license. The fee shall be
16 payable annually by the date of license renewal. The clerk of the
17 district court and the sheriff shall not permit the registration of
18 a bail bondsman unless ~~such~~ the bondsman is currently licensed by
19 the Insurance Commissioner under the provisions of Section 1301 et
20 seq. of this title.

21 B. Notwithstanding the ~~foregoing~~ provisions of subsection A of
22 this section, a bondsman may write bonds on ~~no more than ten~~
23 defendants ~~per year~~ in each of the remaining seventy-six counties of
24 this state ~~in which the bondsman cannot register his license.~~

1 Provided, however, a bondsman ~~shall not be limited to writing bonds~~
2 ~~on only ten defendants per year in a county which does not have a~~
3 ~~licensed bondsman registered in said county.~~ The bondsman shall
4 advise ~~the~~ each court clerk ~~of each such county~~ in writing of his or
5 her intention to write bonds in ~~the~~ that county and shall file a
6 certified copy of his or her license with, and pay a fee of Ten
7 Dollars (\$10.00) to, each such court clerk of the counties wherein
8 the bondsman intends to write bonds.

9 C. A professional bondsman shall not be limited in writing
10 bonds in this state; provided, the total amount of bonds written per
11 year shall not exceed twenty times the dollar amount placed on
12 deposit.

13 SECTION 2. This act shall become effective July 1, 2012.

14 SECTION 3. It being immediately necessary for the preservation
15 of the public peace, health and safety, an emergency is hereby
16 declared to exist, by reason whereof this act shall take effect and
17 be in full force from and after its passage and approval.

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