

**BILL SUMMARY**  
2nd Session of the 53rd Legislature

<b>Bill No.:</b>	<b>SB 1419</b>
<b>Version:</b>	<b>CCR</b>
<b>Request Number:</b>	<b>3491</b>
<b>Author:</b>	<b>Rep. Enns</b>
<b>Date:</b>	<b>5/23/2012</b>
<b>Impact:</b>	<b>Pending</b>

**Research Analysis**

The Conference Committee Substitute to SB 1419 creates the Bail Enforcement and Licensing Act. Provides definitions used in the act. Prohibits any person from acting as a bail enforcer or bail recovery agency without a license. Provides that punishment for acting as a bail enforcer or bail recovery agency without a license is a felony, punishable by up to 3 years in prison, a fine of up to \$10,000 or both fine and imprisonment. Provides for an additional fine up to \$5,000 if the person was carrying a firearm or offensive weapon. Provides that a person who is prohibited from being licensed as a bail bondsman is prohibited from being licensed pursuant to Act. Provides it is unlawful for a person whose license has been suspended to act as a bail enforcer or bail recovery agency. Provides that the use of force is prohibited when unnecessarily committed or when the force is excessive or unreasonable. Provides that the District Attorney can deem force to be unnecessarily committed or excessive or unreasonable and may prosecute. Prohibits bail enforcer from breaking into a dwelling to affect recovery. Provides that the Director of the Council on Law Enforcement Education and Training and any designated staff shall enforce the provisions of the Act. Directs CLEET to promulgate rules regarding the implementation of the Act. Requires applicants to be administered the Minnesota Multiphasic Personality Inventory or other psychological evaluation instrument. Provides qualifications for bail enforcer license. Requires applicant to submit to background check. Provides fee structure for licenses. Provides for the suspension or denial of licenses for certain reasons. Prohibits CLEET from disclosing application information except under certain circumstances. Requires bail enforcer to carry valid driver license and CLEET card. Requires reporting of discharge of weapons to local law enforcement. Requires certain information to be on bail enforcer license, badge or uniform. Allows private schools to perform bail enforcement training. Allows bail enforcer access to county jails. Creates the CLEET Bail Enforcement Revolving Fund. Allows bondsmen to contract with bail enforcement agents. Allows person licensed as a private investigator to be licensed as an armed bail enforcer. Allows a licensed person to carry a weapon openly or concealed. Prohibits conditional licenses. Requires persons from out-of-state who intend to apprehend a person in this state to have a contract with a bail recovery agency licensed in this state.

Prepared By: Brad Wolgamott

**Fiscal Analysis**

"Click and type"

Prepared By: "Click and type"

**Other Considerations**

"Click and type"