

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 SENATE BILL 1406

By: Allen

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6 AS INTRODUCED

7 An Act relating to bail bondsman; amending 59 O.S.
8 2011, Section 1320, as amended by Section 8, Chapter
9 150, O.S.L. 2013 (59 O.S. Supp. 2013, Section 1320),
10 which relates to bail license registration; modifying
11 language; making gender neutral; removing certain
12 restriction on number of bonds written in certain
13 counties; modifying process for license registration;
14 providing for renewals; making certain list of
15 registrations available to judges and law enforcement
16 offices; and providing an effective date.

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

18 SECTION 1. AMENDATORY 59 O.S. 2011, Section 1320, as
19 amended by Section 8, Chapter 150, O.S.L. 2013 (59 O.S. Supp. 2013,
20 Section 1320), is amended to read as follows:

21 Section 1320. A. No bail bondsman shall become a surety on an
22 undertaking unless ~~he~~ the bondsman has first registered his or her
23 license in the office of the sheriff and with the clerk of the
24 district court in the county in which the bondsman resides ~~or~~
~~offices, but not both.~~ In the county in which a bondsman registers
his or her license, ~~he~~ the bondsman shall provide the sheriff and
the court clerk with proof that he or she is a resident of ~~said~~ the

1 county ~~or that he offices in said county.~~ The court clerk of the
2 county shall provide a list of bondsmen permitted to write bail in
3 that county to the judges and law enforcement offices of that
4 county. The list shall consist of professional, property, cash and
5 surety bail bondsmen. Only surety bail bondsmen with a current
6 surety appointment shall be on the list. In any county not having a
7 licensed bondsman authorized to do business within said county, the
8 court having jurisdiction shall allow and fix bail.

9 A surety bondsman shall also file a certified copy of his or her
10 appointment by power of attorney from the insurer which he or she
11 represents as agent with each of ~~said~~ the officers. A fee of Twenty
12 Dollars (\$20.00) shall be paid to the district court clerk for each
13 county in which the bail bondsman registers his or her license. The
14 fee shall be payable biennially by the date of license renewal. The
15 clerk of the district court and the sheriff shall not permit the
16 registration of a bail bondsman unless ~~such~~ the bondsman is
17 currently licensed by the Insurance Commissioner under the
18 provisions of Section 1301 et seq. of this title.

19 B. ~~Notwithstanding the foregoing provisions of this section, a~~
20 Following the registration of a license pursuant to subsection A of
21 this section, the bondsman may write surety bonds on no more than
22 ten defendants per year in his or her county of residence and in
23 each of the remaining seventy-six counties of this state in which
24 the bondsman cannot register his license. Provided, however, a

1 ~~bondsman shall not be limited to writing bonds on only ten~~
2 ~~defendants per year in a county which does not have a licensed~~
3 ~~bondsman registered in said county. The bondsman shall advise the~~
4 ~~court clerk of each such county in writing of his intention to write~~
5 ~~bonds in the county and shall~~ file a certified copy of his or her
6 license with the district court for each county in which the
7 bondsman intends to write surety bonds, other than in his or her
8 county of residence, and pay a fee of Ten Dollars (\$10.00) to each
9 such court clerk before being authorized to write surety bonds in
10 that county. The fee and filing required by this subsection may be
11 renewed annually in the same manner for each county in which a
12 bondsman will continue to write surety bonds upon renewal of his or
13 her license.

14 C. The clerk of the district court in each county shall provide
15 a list of bondsmen permitted to write surety bonds in that county to
16 the judges and law enforcement offices of that county. In any
17 county not having a licensed bondsman authorized to do business
18 within that county, the court having jurisdiction shall allow and
19 fix bail.

20 SECTION 2. This act shall become effective November 1, 2014.

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