

HB 1237 -- Bail Bond and Surety Recovery Agents

Sponsor: Walker

This bill makes changes to the laws regarding bail bond and surety recovery agents and will be known as T. J.'s Law. The bill:

- (1) Requires any person wishing to practice as a bail bond or surety recovery agent in the state to be licensed with the Department of Insurance;
- (2) Prohibits licensed bail bond agents from issuing appearance bonds without a valid appointment from a general bail bond agent;
- (3) Requires bail bond agents to be employed by no more than one general bail bond agent at a time;
- (4) Requires any person wishing to become a general bail bond agent to be licensed as a bail bond agent for at least four years;
- (5) Requires all applicants for licensure as bail bond agents to provide evidence that they are Missouri residents, have a high school diploma or its equivalent, and are at least 21 years of age;
- (6) Requires licensees to maintain records and file a power of attorney form with the department;
- (7) Allows the department to establish reciprocal agreements with other states for the licensing of bail bond and surety recovery agents;
- (8) Authorizes the department to file complaints with the Administrative Hearing Commission, suspend or revoke licenses, or enter into agreements for monetary or other penalties in lieu of filing complaints against surety recovery agents;
- (9) Requires applicants for licensure as a surety recovery agent to be United States citizens, have a high school diploma or its equivalent, be at least 21 years old, and complete 40 hours of approved training;
- (10) Allows surety recovery agents to detain subjects in a lawful manner and to execute apprehension of a subject if the surety agent has probable grounds to believe that the terms of the surety agreement have been breached. Surety agents may not detain a subject for more than 72 hours prior to delivery to the authorized jurisdiction; and

(11) Contains provisions regarding the failure of appearance by defendants and the liability thereby imposed on bail bond agents.

The bill contains penalty provisions.

The bill will become effective on January 1, 2005.