

SECOND REGULAR SESSION

HOUSE BILL NO. 2604

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE NEELY.

6611H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 374.710, 374.715, and 374.740, RSMo, and to enact in lieu thereof three new sections relating to bail bond agents.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 374.710, 374.715, and 374.740, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 374.710, 374.715, and 374.740, to read as follows:

374.710. 1. Except as otherwise provided in sections 374.695 to 374.775, no person or other entity shall practice as a bail bond agent or general bail bond agent, as defined in section 374.700, in Missouri unless and until the department has issued to him or her a license, to be renewed every two years as hereinafter provided, to practice as a bail bond agent or general bail bond agent.

2. An applicant for a bail bond and general bail bond agent license shall submit with the application proof that he or she has received ~~[twenty-four]~~ **seventy-five** hours of initial basic training in areas of instruction in subjects determined by the director deemed appropriate to professionals in the bail bond profession. Bail bond agents and general bail bond agents who are licensed at the date which this act becomes law shall be exempt from such ~~[twenty-four]~~ **seventy-five** hours of initial basic training.

3. In addition to the ~~[twenty-four]~~ **seventy-five** hours of initial basic training to become a bail bond agent or general bail bond agent, there shall be eight hours of biennial continuing education for all bail bond agents and general bail bond agents to maintain their state license. The director shall determine said appropriate areas of instruction for said biennial continuing education. The director shall determine which institutions, organizations, associations, and

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 individuals shall be eligible to provide the initial basic training and the biennial continuing
18 education instruction. The department may allow state institutions, organizations, associations,
19 or individuals to provide courses for the initial basic training and the biennial continuing
20 education training. The cost shall not exceed two hundred dollars for the initial basic training
21 and one hundred fifty dollars for biennial continuing education.

22 4. Upon completion of said basic training or biennial continuing education and the
23 licensee meeting the other requirements as provided under sections 374.695 to 374.789, the
24 director shall issue a two-year license for the bail bond agent or general bail bond agent for a fee
25 not to exceed one hundred fifty dollars.

26 5. Nothing in sections 374.695 to 374.775 shall be construed to prohibit any person from
27 posting or otherwise providing a bail bond in connection with any legal proceeding, provided
28 that such person receives no fee, remuneration or consideration therefor.

374.715. 1. Applications for examination and licensure as a bail bond agent or general
2 bail bond agent shall be in writing and on forms prescribed and furnished by the department, and
3 shall contain such information as the department requires. Each application shall be
4 accompanied by proof satisfactory to the department that the applicant is a citizen of the United
5 States, is at least twenty-one years of age, has a high school diploma or general education
6 development certificate (GED), is of good moral character, **has never been convicted of a**
7 **felony**, and meets the qualifications for surety on bail bonds as provided by supreme court rule.
8 Each application shall be accompanied by the examination and application fee set by the
9 department. Individuals currently employed as bail bond agents and general bail bond agents
10 shall not be required to meet the education requirements needed for licensure pursuant to this
11 section.

12 2. In addition, each applicant for licensure as a general bail bond agent shall furnish
13 proof satisfactory to the department that the applicant or, if the applicant is a corporation, that
14 each officer thereof has completed at least two years as a bail bond agent, and that the applicant
15 possesses liquid assets of at least ten thousand dollars, along with a duly executed assignment
16 of **at least** ten thousand dollars **but no more than one hundred thousand dollars** to the state
17 of Missouri. **The amount of such assignment shall be determined by the director based on**
18 **a sliding scale reflecting the volume of business of the bail bond agent.** The assignment shall
19 become effective upon the applicant's violating any provision of sections 374.695 to 374.789.
20 The assignment required by this section shall be in the form and executed in the manner
21 prescribed by the department. The director may require by regulation conditions by which
22 additional assignments of assets of the general bail bond agent may occur when the
23 circumstances of the business of the general bail bond agent warrants additional funds.
24 However, such additional funds shall not exceed twenty-five thousand dollars.

374.740. Any person applying to be licensed as a nonresident general bail bond agent
2 who has been licensed in another state shall devote fifty percent of his or her working time in the
3 state of Missouri and shall file proof with the director of the department of insurance, financial
4 institutions and professional registration as to his or her compliance, and accompany his or her
5 application with the fees set by the director by regulation and, if applying for a nonresident
6 general bail bond agent's license, with a duly executed assignment of **at least** twenty-five
7 thousand dollars **but not more than one hundred thousand dollars** to the state of Missouri,
8 which assignment shall become effective upon the applicant's violating any provision of sections
9 374.695 to 374.789. **The amount of such assignment shall be determined by the director**
10 **based on a sliding scale reflecting the volume of business of the bail bond agent.** Failure to
11 comply with this section will result in revocation of the nonresidence license. The assignment
12 required by this section shall be in the form and executed in the manner prescribed by the
13 department. All licenses issued pursuant to this section shall be subject to the same renewal
14 requirements set for other licenses issued pursuant to sections 374.695 to 374.789.

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