

BILL ANALYSIS

C.S.H.B. 1990
By: Talton
Licensing & Administrative Procedures
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Counties regulate the licensing and conduct of bail bond agents under Section 1704 of the Occupations Code. In certain counties, bail bondsmen are regulated by a Bail Bond Board, while in other counties, agents are regulated by the local sheriff.

C.S.H.B 1990 expands the number of counties with Bail Bond Boards and clarifies Board responsibilities and powers for handling licensure, exemptions, enforcement, disciplinary actions and financial requirements.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B 1990 lowers the population level at which counties must form Bail Bond Boards from 110,000 to 50,000 and clarifies an applicant's burden of proof when applying for a license. The bill specifies that a person who writes bail under the attorney exemption must be the defendant's attorney of record and can be subject to Board sanction for violations of the Code.

EFFECTIVE DATE

September 1, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.H.B. 1990 modifies the original to eliminate the provision that permits a surety to draw down on pledged collateral.