

## **BILL ANALYSIS**

C.S.S.B. 624  
By: Hinojosa  
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.S.B. 624 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.S.B. 624 lowers the population level at which counties must form Bail Bond Boards from 110,000 to 50,000, authorizes a county to create a board if a majority of persons who serve as members of the board, or would designate the persons who would serve as members of the board, determine to create a board, 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.S.B. 624 modifies the original by lowering the population level at which this chapter applies to and at which counties must form Bail Bond Boards.

C.S.S.B. 624 modifies the original to eliminate the provision that permits a surety to draw down on pledged collateral.

C.S.S.B. 624 alters the bill by lowering the population at which a board may be created in a county if a majority of the persons who would serve as members of the board determine to create a board.

C.S.S.B. 624 provides that a county with a population of 50,000 or more that has not established a county bail bond board, as amended by this Act, is not required to establish a board before January 1, 2006.