

By: Flores

H.B. No. 465

Substitute the following for H.B. No. 465:

By: Jones

C.S.H.B. No. 465

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the licensing and regulation of bail bond sureties;
3 creating an offense.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 1704.152(a), Occupations Code, is
6 amended to read as follows:

7 (a) To be eligible for a license under this chapter, an
8 individual, including an agent designated by a corporation in an
9 application, must:

10 (1) be a resident of this state and a citizen of the
11 United States;

12 (2) be at least 18 years of age;

13 (3) possess the financial resources required to comply
14 with Section 1704.160, unless the individual is acting only as
15 agent for a corporation holding a license under this chapter; and

16 (4) submit documentary evidence that, in the two years
17 preceding the date a license application is filed, the individual[+]

18 ~~[(A) has been continuously employed by a person~~
19 ~~licensed under this chapter for at least one year and for not less~~
20 ~~than 30 hours per week, excluding annual leave, and has performed~~
21 ~~duties that encompass all phases of the bonding business; and~~

22 ~~[(B)]~~ completed in person at least eight hours of
23 continuing legal education in criminal law courses or bail bond law
24 courses that are approved by the State Bar of Texas and that are

1 offered by an accredited institution of higher education in the
2 state.

3 SECTION 2. Subchapter D, Chapter 1704, Occupations Code, is
4 amended by adding Section 1704.1591 to read as follows:

5 Sec. 1704.1591. INITIAL LICENSE. (a) An initial license
6 issued under this chapter is valid for one year.

7 (b) During the first year a person holds a license issued
8 under this chapter, the board may review the license holder at any
9 time and shall review the license holder to determine compliance
10 with this chapter:

11 (1) six months after the date the initial license is
12 issued; and

13 (2) not later than the first anniversary of the date
14 the initial license is issued.

15 (c) If the board determines in its review under Subsection
16 (b)(2) that the license holder is in compliance with this chapter,
17 the license holder may renew the license in the manner provided by
18 Section 1704.162.

19 SECTION 3. Section 1704.162(a), Occupations Code, is
20 amended to read as follows:

21 (a) Except as provided by Section 1704.1591, a [A] license
22 issued or renewed under this chapter expires on the second
23 anniversary after the date the license is issued or is to expire, as
24 appropriate, if the license:

25 (1) has been issued for less than eight consecutive
26 years; or

27 (2) has been suspended.

1 SECTION 4. Chapter 17, Code of Criminal Procedure, is
2 amended by adding Article 17.034 to read as follows:

3 Art. 17.034. FEE WHEN PERSONAL BOND IS ISSUED. (a) A
4 person, other than an attorney representing the defendant, may not
5 charge a fee for assisting a defendant to obtain release on personal
6 bond. This section does not apply to a fee imposed under Article
7 17.42.

8 (b) A person commits an offense if the person violates
9 Subsection (a).

10 (c) An offense under this section is a Class A misdemeanor.

11 SECTION 5. The changes in law made by this Act by the
12 amendment of Section 1704.152(a), Occupations Code, and the
13 addition of Section 1704.1591, Occupations Code, apply only to an
14 application filed with a bail bond board on or after the effective
15 date of this Act. An application filed before that date is governed
16 by the law in effect when the application is filed, and the former
17 law is continued in effect for that purpose.

18 SECTION 6. This Act takes effect September 1, 2007.