

AN ACT

relating to the withdrawal of security by a bail bond surety.

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

SECTION 1. Section 1704.210, Occupations Code, is amended to read as follows:

Sec. 1704.210. WITHDRAWAL OF SECURITY. (a) A license holder may withdraw the security or a portion of the security deposited or executed under Section 1704.160, and the security shall be returned to the license holder or the license holder's heirs or assigns, if the person requesting the withdrawal is:

(1) a ~~the~~ license holder in good standing and the amount of the security remaining after the withdrawal is:

(A) at least the minimum amount required by Section 1704.160; and

(B) an amount sufficient to maintain the ratios required by Section 1704.203 ~~[ceases to engage in the bonding business,~~

~~[(B) ceases to maintain the license, and~~

~~[(C) presents a release by the board]; or [and]~~

(2) a former license holder who has ceased to engage in the bonding business, or a former license holder's heir or assign, and the amount of the security remaining after the withdrawal is sufficient to:

(A) pay any outstanding judgments; and

1 (B) secure any unexpired obligation on a bail
2 bond executed by the former ~~[no judgment or bond liability, actual~~
3 ~~or potential, is outstanding against the]~~ license holder.

4 (b) The board may adopt rules to limit the number of times in
5 a year security may be returned to a license holder under this
6 section ~~[Subsection (a) is equal to the amount of security~~
7 ~~deposited or executed under Section 1704.160 minus the amount of~~
8 ~~security:~~

9 ~~[(1) depleted under Section 1704.204(b) to pay a~~
10 ~~judgment; and~~

11 ~~[(2) necessary to secure any unexpired obligation on a~~
12 ~~bail bond executed by the license holder]~~.

13 SECTION 2. This Act takes effect September 1, 2011.

H.B. No. 1822

President of the Senate

Speaker of the House

I certify that H.B. No. 1822 was passed by the House on April 21, 2011, by the following vote: Yeas 148, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1822 was passed by the Senate on May 25, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor