By: Harless   H.B. No. 1822

A BILL TO BE ENTITLED

1   AN ACT

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

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

4   SECTION 1. Section 1704.210, Occupations Code, is amended

5 to read as follows:

6   Sec. 1704.210. WITHDRAWAL OF SECURITY. (a) A license

7 holder may withdraw the security or a portion of the security

8 deposited or executed under Section 1704.160, and the security

9 shall be returned to the license holder or the license holder's

10 heirs or assigns, if the person requesting the withdrawal is:

11   (1) a [the] license holder in good standing and the

12 amount of the security remaining after the withdrawal is:

13   (A) at least the minimum amount required by

14 Section 1704.160; and

15   (B) an amount sufficient to maintain the ratios

16 required by Section 1704.203 [ceases to engage in the bonding

17 business;

18   [(B) ceases to maintain the license; and

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

20   (2) a former license holder who has ceased to engage in

21 the bonding business, or a former license holder's heir or assign,

22 and the amount of the security remaining after the withdrawal is

23 sufficient to:

24   (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.