

1-1 By: Harless (Senate Sponsor - Huffman) H.B. No. 1822  
1-2 (In the Senate - Received from the House April 26, 2011;  
1-3 April 29, 2011, read first time and referred to Committee on  
1-4 Criminal Justice; May 19, 2011, reported favorably by the  
1-5 following vote: Yeas 7, Nays 0; May 19, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the withdrawal of security by a bail bond surety.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Section 1704.210, Occupations Code, is amended  
1-11 to read as follows:

1-12 Sec. 1704.210. WITHDRAWAL OF SECURITY. (a) A license  
1-13 holder may withdraw the security or a portion of the security  
1-14 deposited or executed under Section 1704.160, and the security  
1-15 shall be returned to the license holder or the license holder's  
1-16 heirs or assigns, if the person requesting the withdrawal is:

1-17 (1) a [the] license holder in good standing and the  
1-18 amount of the security remaining after the withdrawal is:

1-19 (A) at least the minimum amount required by  
1-20 Section 1704.160; and

1-21 (B) an amount sufficient to maintain the ratios  
1-22 required by Section 1704.203 [ceases to engage in the bonding  
1-23 business;

1-24 [~~(B) ceases to maintain the license; and~~

1-25 [~~(C) presents a release by the board]; or [and]~~

1-26 (2) a former license holder who has ceased to engage in  
1-27 the bonding business, or a former license holder's heir or assign,  
1-28 and the amount of the security remaining after the withdrawal is  
1-29 sufficient to:

1-30 (A) pay any outstanding judgments; and

1-31 (B) secure any unexpired obligation on a bail  
1-32 bond executed by the former [no judgment or bond liability, actual  
1-33 or potential, is outstanding against the] license holder.

1-34 (b) The board may adopt rules to limit the number of times in  
1-35 a year security may be returned to a license holder under this  
1-36 section [Subsection (a) is equal to the amount of security  
1-37 deposited or executed under Section 1704.160 minus the amount of  
1-38 security:

1-39 [~~(1) depleted under Section 1704.204(b) to pay a~~  
1-40 ~~judgment; and~~

1-41 [~~(2) necessary to secure any unexpired obligation on a~~  
1-42 ~~bail bond executed by the license holder].~~

1-43 SECTION 2. This Act takes effect September 1, 2011.

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