86R7470 MAW-D

By:  Zaffirini S.B. No. 1762

A BILL TO BE ENTITLED

AN ACT

relating to the location of real property executed in trust for the issuance of a license as a bail bond surety.

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

SECTION 1.  Section 1704.154(b), Occupations Code, is amended to read as follows:

(b)  The application must:

(1)  be in a form and contain the information prescribed by the board;

(2)  state:

(A)  the applicant's name, age, and address;

(B)  if the applicant is a corporation, whether the applicant is:

(i)  chartered or admitted to do business in this state; and

(ii)  qualified to write fidelity, guaranty, and surety bonds under the Insurance Code;

(C)  the name under which the bail bond business will be conducted, including a bail bond business that is conducted by an agent of a corporation;

(D)  each place, including the street address and municipality, at which the business will be conducted; and

(E)  the amount of cash or the cash value of a certificate of deposit or cashier's check that the applicant intends to deposit with the county treasurer if the applicant's application is approved or, if the applicant is an individual intending to execute nonexempt real property in trust to the board, the value of the real property;

(3)  if the applicant is an individual, be accompanied by a list, as required by Section 1704.155, of nonexempt real property located in this state that is owned by the applicant and that the applicant intends to execute in trust to the board if the applicant's application is approved; and

(4)  be accompanied by:

(A)  the applicant's complete, sworn financial statement;

(B)  the applicant's declaration that the applicant will comply with this chapter and the rules adopted by the board;

(C)  three letters of recommendation, each from a person who:

(i)  is reputable; and

(ii)  has known the applicant or, if the applicant is a corporation, the agent designated by the corporation in the application for at least three years;

(D)  a $500 filing fee;

(E)  a photograph of the applicant or, if the applicant is a corporation, of the agent designated by the corporation in the application;

(F)  a set of fingerprints of the applicant or, if the applicant is a corporation, of the agent designated by the corporation in the application taken by a law enforcement officer designated by the board;

(G)  if the applicant is or has been licensed under this chapter in another county:

(i)  a list of each county in which the applicant holds a license; and

(ii)  a statement by the applicant, as of the date of the application, of any final judgments that have been unpaid for more than 30 days and that arose directly or indirectly from a bail bond executed by the applicant as a surety or as an agent for a surety; and

(H)  if the applicant is a corporation, a statement by the designated agent, as of the date of the application, of any final judgments that have been unpaid for more than 30 days and that arose directly or indirectly from any bond executed by the agent as a surety or as an agent for a surety.

SECTION 2.  Section 1704.154, Occupations Code, as amended by this Act, applies only to an application for a bail bond surety license that is submitted on or after the effective date of this Act. An application submitted before the effective date of this Act is governed by the law in effect on the date the application was submitted, and the former law is continued in effect for that purpose.

SECTION 3.  This Act takes effect September 1, 2019.