

By: Zaffirini

S.B. No. 1762

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the location of real property executed in trust for the
3 issuance of a license as a bail bond surety.

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

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

7 (b) The application must:

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

10 (2) state:

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

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

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

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

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

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

23 (E) the amount of cash or the cash value of a
24 certificate of deposit or cashier's check that the applicant

1 intends to deposit with the county treasurer if the applicant's
2 application is approved or, if the applicant is an individual
3 intending to execute nonexempt real property in trust to the board,
4 the value of the real property;

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

10 (4) be accompanied by:

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

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

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

18 (i) is reputable; and

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

22 (D) a \$500 filing fee;

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

26 (F) a set of fingerprints of the applicant or, if
27 the applicant is a corporation, of the agent designated by the

1 corporation in the application taken by a law enforcement officer
2 designated by the board;

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

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

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

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

17 SECTION 2. Section [1704.154](#), Occupations Code, as amended
18 by this Act, applies only to an application for a bail bond surety
19 license that is submitted on or after the effective date of this
20 Act. An application submitted before the effective date of this Act
21 is governed by the law in effect on the date the application was
22 submitted, and the former law is continued in effect for that
23 purpose.

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