

South Carolina General Assembly
120th Session, 2013-2014

H. 3138

STATUS INFORMATION

General Bill

Sponsors: Rep. King

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Introduced in the House on January 8, 2013

Currently residing in the House Committee on **Judiciary**

Summary: Bondsmen continuing education requirements

HISTORY OF LEGISLATIVE ACTIONS

| Date | Body | Action Description with journal page number |
|------------|-------|--|
| 12/11/2012 | House | Prefiled |
| 12/11/2012 | House | Referred to Committee on Judiciary |
| 1/8/2013 | House | Introduced and read first time (House Journal-page 101) |
| 1/8/2013 | House | Referred to Committee on Judiciary (House Journal-page 101) |

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VERSIONS OF THIS BILL

[12/11/2012](#)

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9 **A BILL**

10
11 TO AMEND SECTION 38-53-85, CODE OF LAWS OF SOUTH
12 CAROLINA, 1976, RELATING TO CONTINUING
13 EDUCATIONAL REQUIREMENTS FOR PROFESSIONAL
14 BONDSMEN, SO AS TO CHANGE THE SIX-HOUR ANNUAL
15 CONTINUING EDUCATION REQUIREMENT TO A
16 THREE-HOUR BIENNIAL REQUIREMENT.

17
18 Be it enacted by the General Assembly of the State of South
19 Carolina:

20
21 SECTION 1. Section 38-53-85 of the 1976 Code is amended to
22 read:

23
24 “Section 38-53-85. (A)(1) An applicant for a license to work as
25 a professional bondsman, surety bondsman, or runner must
26 complete not less than twenty hours of education in subjects
27 pertinent to the duties and responsibilities of a professional and
28 surety bondsman or runner, including all laws and regulations
29 related to being a professional or surety bondsman or runner. A
30 written examination must be administered at the conclusion of the
31 course work. Each applicant must pass the examination before he
32 can be licensed.

33 (2)(a) ~~Each~~ A person licensed as a ~~professional bondsman,~~
34 surety bondsman, or runner must complete annually not less than
35 six hours of continuing education in subjects related to the duties
36 and responsibilities of a ~~professional and~~ surety bondsman or
37 runner before his license ~~shall~~ may be renewed. ~~The~~ These
38 continuing education courses ~~shall~~ may not include a written or
39 oral examination. The six-hour annual requirement of this subitem
40 is in addition to the twenty-four hour continuing education
41 requirement for surety insurance agents as required by Section
42 38-43-106.

1 (b) A person licensed as a professional bondsman must
2 complete biennially not less than three hours of continuing
3 education in subjects related to the duties and responsibilities of a
4 professional bondsman before his license may be renewed. These
5 continuing education courses may not include a written or oral
6 examination. The three-hour requirement of this subitem is in
7 addition to the twenty-four hour continuing education requirement
8 for surety insurance agents required by Section 38-43-106.

9 (B) A person licensed as a professional bondsman, surety
10 bondsman, or runner before the effective date of this section is not
11 required to complete the requisite twenty hours of education, but
12 must complete:

13 (1) six hours of continuing education courses in order to
14 have his license renewed renew a surety bondsman license or
15 runner license; or

16 (2) three hours of continuing education courses to renew a
17 professional bondsman license.

18 (C) The South Carolina Bail Agent's Association or ~~any other~~
19 another group or association approved by the Department of
20 Insurance to provide educational courses to bondsmen must
21 establish an educational curriculum for bondsman licensure. The
22 Department of Insurance must approve the courses offered and
23 ensure that the courses meet the standards for education
24 established by this section and the department. The requirement of
25 course work for licensure is not satisfied by a mail order course.
26 The department must also approve a written examination to be
27 administered by all groups who provide educational courses to be
28 administered at the conclusion of the twenty-hour course work.

29 (D) A person who falsely represents that he has met the
30 educational requirements of this section is subject, after being
31 afforded notice and an opportunity for a due process hearing by the
32 Administrative Law ~~Judge Division~~ Court, to the penalty provided
33 ~~for~~ in Section 38-53-340.

34 (E) A professional bondsman, surety bondsman, or runner who
35 is more than sixty years of age and who has at least twenty years of
36 licensure is exempt from the continuing education requirements
37 ~~contained in~~ of this section.

38 (F) The director shall establish rules and regulations for the
39 effective administration of this section.”

40
41 SECTION 2. This act takes effect upon approval by the Governor.

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