

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 SENATE BILL 9

By: Allen

6 AS INTRODUCED

7 An Act relating to professions and occupations;
8 amending 59 O.S. 2011, Section 1320, which relates to
9 bail bondsmen; modifying language; removing
10 limitation on number of bonds written; clarifying
11 procedure to write bonds in certain counties;
12 providing for renewal of bonds in certain counties;
13 requiring certain list of bondsmen for certain
14 purpose; authorizing court to set bail under certain
15 condition; providing an effective date; and declaring
16 an emergency.

14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. AMENDATORY 59 O.S. 2011, Section 1320, is
16 amended to read as follows:

17 Section 1320. A. No bail bondsman shall become a surety on an
18 undertaking unless ~~he~~ the bondsman has first registered his or her
19 license in the office of the sheriff and with the clerk of the
20 district court in the county in which the bondsman resides ~~or~~
21 ~~offices, but not both.~~ In the county in which a bondsman registers
22 his or her license, ~~he~~ the bondsman shall provide the sheriff and
23 court clerk with proof that he or she is a resident of ~~said the~~ the
24 county ~~or that he offices in said county. The court clerk of the~~

1 ~~county shall provide a list of bondsmen permitted to write surety in~~
2 ~~that county to the judges and law enforcement offices of that~~
3 ~~county. In any county not having a licensed bondsman authorized to~~
4 ~~do business within said county, the court having jurisdiction shall~~
5 ~~allow and fix bail.~~ A surety bondsman shall also file a certified
6 copy of his or her appointment by power of attorney from the insurer
7 or professional bondsman which he or she represents as agent with
8 each of ~~said~~ the officers. A fee of Ten Dollars (\$10.00) shall be
9 paid to the district court clerk for ~~each~~ the county in which the
10 bail bondsman registers his or her license. The fee shall be
11 payable annually by the date of license renewal. The clerk of the
12 district court and the sheriff shall not permit the registration of
13 a bail bondsman unless ~~such~~ the bondsman is currently licensed by
14 the Insurance Commissioner under the provisions of Section 1301 et
15 seq. of this title.

16 B. ~~Notwithstanding the foregoing provisions of this section, a~~
17 Following the registration of a license pursuant to subsection A of
18 this section, the bondsman may write surety bonds on no more than
19 ten defendants per year in his or her county of residence and in
20 each of the remaining seventy-six counties of this state in which
21 the bondsman cannot register his license. Provided, however, a
22 bondsman shall ~~not be limited to writing bonds on only ten~~
23 ~~defendants per year in a county which does not have a licensed~~
24 ~~bondsman registered in said county. The bondsman shall advise the~~

1 ~~court clerk of each such county in writing of his intention to write~~
2 ~~bonds in the county and shall~~ file a certified copy of his or her
3 license with the district court clerk for each county in which the
4 bondsman intends to write surety bonds, other than in his or her
5 county of residence, and pay a fee of Ten Dollars (\$10.00) to each
6 ~~such~~ court clerk before being authorized to write surety bonds in
7 that county. The fee and filing required by this subsection may be
8 renewed annually in the same manner for each county in which a
9 bondsman will continue to write surety bonds upon renewal of his or
10 her license.

11 C. The clerk of the district court in each county shall provide
12 a list of bondsmen permitted to write surety in that county to the
13 judges and law enforcement offices of that county. In any county
14 not having a licensed bondsman authorized to do business within the
15 county, the court having jurisdiction shall allow and fix bail.

16 SECTION 2. This act shall become effective July 1, 2013.

17 SECTION 3. It being immediately necessary for the preservation
18 of the public peace, health and safety, an emergency is hereby
19 declared to exist, by reason whereof this act shall take effect and
20 be in full force from and after its passage and approval.

21
22 54-1-5

NP

12/3/2012 2:07:24 PM