
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 149 Session of
2013

INTRODUCED BY GREENLEAF, KITCHEN, VULAKOVICH, TARTAGLIONE,
BROWNE, SCHWANK, ALLOWAY AND COSTA, JANUARY 16, 2013

REFERRED TO JUDICIARY, JANUARY 15, 2013

AN ACT

1 Regulating bail bond enforcement agents; requiring licensure and
2 registration; and providing for penalties.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Bail Bond
7 Enforcement Agent Act.

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall
10 have the meanings given to them in this section unless the
11 context clearly indicates otherwise:

12 "Bail bond enforcement agent." A person who has a license
13 under this act to recapture suspects who are released on bail.

14 Section 3. Prohibition.

15 (a) General rule.--No person shall represent himself as or
16 act in the capacity of a bail bond enforcement agent in this
17 Commonwealth unless the person has met the requirements of this
18 act.

1 (b) Penalty.--A court of common pleas may impose a civil
2 penalty of up to \$10,000 on a person who violates this section.
3 Section 4. License requirements.

4 (a) Lethal Weapons Training Act.--In order to be licensed as
5 a bail bond enforcement agent, an applicant shall meet the
6 requirements of and complete the training under the act of
7 October 10, 1974 (P.L.705, No.235), known as the Lethal Weapons
8 Training Act.

9 (b) Application.--An applicant for a bail bond enforcement
10 agent license shall apply to the court of common pleas of the
11 county in which the applicant's principal place of business is
12 located. The application shall be on a form provided by the
13 court and shall require:

14 (1) The applicant's name, address, telephone number and
15 such other information as the court may require.

16 (2) A certification that the applicant has met the
17 requirements of and completed the training required by the
18 Lethal Weapons Training Act.

19 (3) Payment of any application fee established under
20 subsection (c).

21 (c) License.--

22 (1) A court of common pleas shall issue a bail bond
23 enforcement agent license to an applicant meeting the
24 licensure and application requirements of this section. A
25 bail bond enforcement agent license shall be valid for five
26 years unless suspended or revoked for cause by the court.

27 (2) The court may establish fees for issuing and
28 renewing a license under this act.

29 (d) Prohibitions.--

30 (1) Except as otherwise provided in this act, no license

1 shall be issued to any person who has been convicted in this
2 Commonwealth or any other state or territory of a felony or
3 whose license has been previously revoked by the court of
4 common pleas or the authorities of any other state or
5 territory because of conviction of any crime.

6 (2) The provisions of this subsection shall not be
7 construed to prevent the issuance of a license to any person
8 who, subsequent to his conviction, receives executive pardon
9 removing this disability.

10 Section 5. Local law enforcement.

11 (a) Notice requirement.--

12 (1) A bail bond enforcement agent who enters into a
13 municipality in pursuit of and for the purpose of capturing a
14 suspect shall, prior to taking any action in his capacity as
15 a bail bond enforcement agent, notify the chief of police of
16 the municipality in which the surveillance or apprehension is
17 to take place. Notification shall be by registration on a
18 form provided by the municipal police and shall include
19 information identifying the bail bond enforcement agent as a
20 licensed agent, the suspect and the location of the suspect
21 in the municipality.

22 (2) In case of exigent circumstances, written
23 notification shall not be required so long as prior oral
24 notification is made and the written report is submitted
25 within 24 hours after any action has been instituted within
26 the municipality.

27 (3) If the municipality does not have a police
28 department, notification shall be made to the Pennsylvania
29 State Police.

30 (b) Out-of-State agent.--If the bail bond enforcement agent

1 is not a resident of this Commonwealth, the agent must be
2 licensed in the agent's state of residence. The license
3 requirements in the agent's state of residence must be
4 substantially the same as the requirements for licensure under
5 this act.

6 (c) Penalty.--A court of common pleas may impose a civil
7 penalty of up to \$10,000 on a person who violates this section.
8 Section 6. Civil damages.

9 Any bail bond enforcement agent who wrongfully causes damage
10 to any person or property, including, but not limited to,
11 trespass, unlawful arrest, unlawful detainment or assault, shall
12 be liable for such damages and may be liable for punitive
13 damages.

14 Section 7. Effective date.

15 This act shall take effect in 120 days.