



General Assembly

January Session, 2003

***Raised Bill No. 6526***

LCO No. 3582

Referred to Committee on Public Safety

Introduced by:  
(PS)

***AN ACT CONCERNING PROFESSIONAL BAIL BONDSMEN AND BAIL ENFORCEMENT AGENTS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 29-145 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2003*):

3 (a) Any person desiring to engage in the business of a professional  
4 bondsman shall apply to the Commissioner of Public Safety for a  
5 license therefor. Such application shall set forth under oath the full  
6 name, age, residence and occupation of the applicant, whether the  
7 applicant intends to engage in the business of a professional bondsman  
8 individually or in partnership or association with another or others,  
9 and, if so, the identity of each. It shall also set forth under oath a  
10 statement of the assets and liabilities of the applicant, and whether the  
11 applicant has been charged with or convicted of crime, and such other  
12 information, including fingerprints and photographs, as said  
13 commissioner from time to time may require. The commissioner shall  
14 require the applicant to submit to state and national criminal history  
15 records checks. The criminal history records checks required pursuant  
16 to this section shall be conducted in accordance with section 29-17a.

17     (b) No person who has been convicted of a felony or of any  
18 misdemeanor under sections 21a-279, 53a-58, 53a-61, 53a-61a, 53a-62,  
19 53a-63, 53a-96, 53a-173, 53a-175, 53a-176, 53a-178 and 53a-181d or any  
20 equivalent conviction in any other state within the preceding seven  
21 years, shall be licensed to do business as a professional bondsman in  
22 this state. No person who has been discharged from the military  
23 service under other than honorable conditions shall be licensed to do  
24 business as a professional bondsman. No person engaged in law  
25 enforcement or vested with police powers shall be licensed to do  
26 business as a professional bondsman.

27     (c) An applicant for a license under this chapter shall be at least  
28 twenty-one years of age and have a high school diploma or a high  
29 school equivalency diploma. A license may only be issued to a legal  
30 resident of the United States. Each such applicant shall attend a  
31 prelicensing training course offered by the Commissioner of Public  
32 Safety.

33     Sec. 2. Section 29-146 of the general statutes is repealed and the  
34 following is substituted in lieu thereof (*Effective October 1, 2003*):

35     The Commissioner of Public Safety shall, upon receipt of such  
36 application, cause an investigation to be made of the character and  
37 financial responsibility of the applicant and, if [he] such commissioner  
38 finds that such applicant is a resident elector of good moral character  
39 and of sound financial responsibility, [he] and a suitable person to  
40 receive a license as a professional bondsman, such commissioner shall,  
41 upon payment by such applicant to the state of a license fee of one  
42 hundred dollars, issue a license to such applicant to do business in this  
43 state as a professional bondsman. Each such license shall be for such  
44 term not exceeding one year as said commissioner determines. The fee  
45 shall be nonrefundable if the application is denied or the applicant  
46 cancels the application or fails to provide all necessary information. A  
47 professional bondsman holding a license issued pursuant to this  
48 chapter shall notify the commissioner within two business days of any

49 change of address. The notification shall include the bondsman's old  
50 address and new address.

51 Sec. 3. Section 29-147 of the general statutes is repealed and the  
52 following is substituted in lieu thereof (*Effective October 1, 2003*):

53 (a) Each professional bondsman licensed under the provisions of  
54 this chapter may apply for a renewal of [his] the license upon renewal  
55 application forms provided by the Commissioner of Public Safety,  
56 [and requiring] Such forms shall require the disclosure of such  
57 information as said commissioner requires in determining whether or  
58 not such professional bondsman's financial responsibility remains  
59 unimpaired or whether for any other reason such bondsman's [fitness]  
60 suitability to continue in such business has been otherwise altered  
61 since the issuance of any prior license. Said commissioner may  
62 suspend for a definite term or revoke any license issued under the  
63 provisions of this chapter [if it appears to said commissioner that such  
64 licensee has been convicted of a felony in this state or elsewhere or is  
65 engaged in any unlawful activity affecting his fitness to continue in the  
66 business of professional bondsman or that his financial responsibility  
67 has been substantially impaired] upon a finding by the commissioner  
68 that: (1) The licensee has violated any of the terms or provisions of this  
69 chapter or of chapter 533a; (2) the licensee has practiced fraud, deceit  
70 or misrepresentation; (3) the licensee has made a material  
71 misstatement in the application for issuance or renewal of such license;  
72 (4) the licensee has demonstrated incompetence or untrustworthiness  
73 in the conduct of the licensee's business; or (5) the licensee has been  
74 convicted of a felony or of a misdemeanor specified in section 29-145,  
75 as amended by this act, or of any other crime affecting the licensee's  
76 honesty, integrity or moral fitness.

77 (b) The suspension or revocation of any professional bondsman  
78 license shall also constitute the revocation of the bail enforcement  
79 agent license and firearms permit issued pursuant to chapter 533a.  
80 Any professional bondsman who fails to surrender such a license

81 within five days of notification in writing of such revocation shall be  
82 guilty of a class C misdemeanor.

83 (c) The fee for renewal of a professional bondsman's license shall be  
84 one hundred dollars.

85 Sec. 4. Section 29-151 of the general statutes is repealed and the  
86 following is substituted in lieu thereof (*Effective October 1, 2003*):

87 (a) No such professional bondsman shall charge [for his] a  
88 commission or fee of more than fifty dollars for the amount of bail  
89 furnished by [him] such professional bondsman up to five hundred  
90 dollars, nor more than ten per cent of the amount of bail furnished by  
91 [him] such professional bondsman from five hundred dollars up to  
92 five thousand dollars, nor more than seven per cent of the amount of  
93 bail furnished by [him] such professional bondsman on sums in excess  
94 of five thousand dollars. When a professional bondsman has furnished  
95 bail to an accused in a criminal proceeding, the fee which [he] the  
96 professional bondsman receives therefor shall be credited on account  
97 of [his] such professional bondsman's fee for any subsequent bail in an  
98 increased amount which [he] such professional bondsman may furnish  
99 for the same person in the same criminal proceeding; but this  
100 provision shall not apply to bail furnished on appeal of a conviction or  
101 bindover of an accused. Each professional bondsman licensed under  
102 the provisions of this chapter shall annually, during the month of  
103 January, on forms furnished by the Commissioner of Public Safety,  
104 report to said commissioner in detail the names of the persons for  
105 whom such bondsman has become surety during the year ended  
106 December thirty-first preceding, with the date, the amount of bond  
107 and the fee charged and paid and such further information as said  
108 commissioner requires.

109 (b) Professional bondsmen shall use the services of licensed bail  
110 enforcement agents only. Any professional bondsman licensed under  
111 this chapter is required to complete a report furnished by the  
112 Commissioner of Public Safety each time a principal has been

113 remanded into custody after having defaulted on a bond. Such report  
114 shall be placed on file in the business office of the licensee. Such report  
115 shall include the license number assigned to every bail enforcement  
116 agent involved, the name of the principal apprehended, the date and  
117 time of apprehension, the location of apprehension, the names of all  
118 bondsmen or bail enforcement agents present and participating in the  
119 apprehension, the police department or detention facility where the  
120 principal was surrendered and any other information required by the  
121 commissioner. Such report shall be kept on file at the business office of  
122 the professional bondsman for a period of five years, and shall be  
123 subject to inspection by law enforcement personnel for administrative  
124 and investigative purposes during normal business hours.

125       Sec. 5. Section 29-152 of the general statutes is repealed and the  
126 following is substituted in lieu thereof (*Effective October 1, 2003*):

127       Any person who violates any provision of this chapter shall be  
128 [fined not more than one thousand dollars or imprisoned not more  
129 than two years or both] guilty of a class D felony and [his] such  
130 person's right to engage in the business of a professional bondsman in  
131 this state shall thereupon be permanently forfeited.

132       Sec. 6. Section 29-152e of the general statutes is repealed and the  
133 following is substituted in lieu thereof (*Effective October 1, 2003*):

134       No person shall, as a surety on a bond in a criminal proceeding or  
135 an agent of such surety, engage in the business of taking or attempting  
136 to take into custody the principal on the bond who has failed to appear  
137 in court and for whom a rearrest warrant or a capias has been issued  
138 pursuant to section 54-65a unless such person is licensed as a  
139 professional bondsman under chapter 533, a surety bail bond agent  
140 under chapter 700f or a bail enforcement agent under [sections 29-152f  
141 to 29-152i, inclusive] chapter 533a.

142       Sec. 7. Section 29-152f of the general statutes is repealed and the  
143 following is substituted in lieu thereof (*Effective October 1, 2003*):

144 (a) Any person desiring to engage in the business of a bail  
145 enforcement agent shall apply to the Commissioner of Public Safety for  
146 a license therefor. Such application shall set forth under oath the full  
147 name, age, date and place of birth, residence and occupation of the  
148 applicant. It shall also set forth under oath a statement of whether the  
149 applicant has been charged with or convicted of crime, and such other  
150 information, including fingerprints and photographs, as required by  
151 the commissioner. The fee for applying for such license is one hundred  
152 dollars. Such fee is nonrefundable if the application is denied or the  
153 applicant cancels the application or fails to provide all necessary  
154 information. The commissioner shall require the applicant to submit to  
155 state and national criminal history records checks. The criminal history  
156 records checks required pursuant to this section shall be conducted in  
157 accordance with section 29-17a. Within five years prior to the date of  
158 application, the applicant shall have successfully completed a course in  
159 the criminal justice system consisting of not less than twenty hours of  
160 study approved by the commissioner.

161 (b) No person who has been convicted of a felony or any  
162 misdemeanor under section 21a-279, 53a-58, 53a-61, 53a-61a, 53a-62,  
163 53a-63, 53a-96, 53a-173, 53a-175, 53a-176, 53a-178 or 53a-181d or any  
164 equivalent conviction in any other state within the preceding seven  
165 years, shall be licensed to do business as a bail enforcement agent in  
166 this state. No person who has been discharged from military service  
167 under other than honorable conditions shall be licensed to do business  
168 as a bail enforcement agent in this state. No person engaged in law  
169 enforcement or vested with police powers shall be licensed to do  
170 business as a bail enforcement agent.

171 (c) An applicant for a license under this chapter shall be at least  
172 twenty-one years of age and have a high school diploma or a high  
173 school equivalency diploma. A license may only be issued to a legal  
174 resident of the United States. The Commissioner of Public Safety shall  
175 require each such applicant to provide evidence of general liability  
176 insurance coverage and insurance to cover recovery activities and

177 personal injury for false arrest, false imprisonment, libel and slander  
178 which coverage shall be not less than one hundred thousand dollars.

179 Sec. 8. Section 29-152g of the general statutes is repealed and the  
180 following is substituted in lieu thereof (*Effective October 1, 2003*):

181 (a) Upon being satisfied, after investigation, that the applicant is a  
182 suitable person to receive a license as a bail enforcement agent, and  
183 that the applicant meets the licensing requirements of [section 29-152f]  
184 this chapter, the Commissioner of Public Safety may issue a license to  
185 such applicant to do business in this state as a bail enforcement agent.  
186 [The fee for such license shall be one hundred dollars.] Each such  
187 license shall be for such term not exceeding one year as said  
188 commissioner determines. Any bail enforcement agent holding a  
189 license issued pursuant to this [section or section 29-152h] chapter  
190 shall notify the commissioner within two business days of any change  
191 of address. The notification shall include the bail enforcement agent's  
192 old address and new address.

193 (b) Each person licensed as a bail enforcement agent under the  
194 provisions of this chapter shall obtain the approval of the  
195 Commissioner of Public Safety for any trade name such licensee  
196 intends to use. No trade name which implies any association with any  
197 municipal, county, state or federal government or any agency thereof  
198 or which may tend to mislead the public shall be used.

199 Sec. 9. Section 29-152h of the general statutes is repealed and the  
200 following is substituted in lieu thereof (*Effective October 1, 2003*):

201 (a) Each person licensed as a bail enforcement agent under the  
202 provisions of [sections 29-152f to 29-152i, inclusive] this chapter, may  
203 apply for a renewal of such license upon renewal application forms  
204 provided by the Commissioner of Public Safety. [and requiring] Such  
205 forms shall require the disclosure of such information as said  
206 commissioner requires in determining whether or not such agent's  
207 suitability to continue in such business has changed since the issuance

208 of any prior license. The commissioner may also require that, as a  
209 condition of renewal of a bail enforcement agent's license, such agent  
210 attend training consisting of not less than eight hours biennially. The  
211 required training shall be as specified in regulations adopted by the  
212 commissioner in accordance with chapter 54.

213 (b) The fee for renewal of a bail enforcement agent's license shall be  
214 one hundred dollars.

215 Sec. 10. Section 29-152i of the general statutes is repealed and the  
216 following is substituted in lieu thereof (*Effective October 1, 2003*):

217 The Commissioner of Public Safety may suspend, revoke or refuse  
218 to renew the license of any bail enforcement agent, provided notice  
219 shall have been given to the licensee to appear before the  
220 commissioner to show cause why the license should not be suspended,  
221 revoked or refused renewal, upon a finding by the commissioner that:  
222 (1) The licensee has violated any of the terms or provisions of [sections  
223 29-152e to 29-152m, inclusive, or section 38a-660a] chapter 533a or any  
224 of the regulations adopted under section 29-152o, as amended by this  
225 act; (2) the licensee has practiced fraud, deceit or misrepresentation; (3)  
226 the licensee has made a material misstatement in the application for  
227 issuance or renewal of such license; (4) the licensee has demonstrated  
228 incompetence or untrustworthiness in the conduct of the licensee's  
229 business; (5) the licensee has been convicted of a felony, a  
230 misdemeanor specified in section 29-152f, as amended by this act, or  
231 other crime affecting the licensee's honesty, integrity or moral fitness;  
232 or (6) the licensee is unsuitable. The suspension or revocation of, or the  
233 refusal to renew, any bail enforcement agent's license shall also  
234 constitute the revocation of the bail enforcement agent's firearms  
235 permit issued pursuant to section 29-152m, as amended by this act.  
236 Any bail enforcement agent who fails to surrender such license within  
237 five days of notification in writing of the suspension or revocation of,  
238 or refusal to renew, such license shall be guilty of a class C  
239 misdemeanor. Any party aggrieved by an order of the commissioner

240 under this section may appeal therefrom in accordance with the  
241 provisions of section 4-183, except venue for such appeal shall be in the  
242 judicial district of Hartford.

243 Sec. 11. Section 29-152j of the general statutes is repealed and the  
244 following is substituted in lieu thereof (*Effective October 1, 2003*):

245 The Commissioner of Public Safety shall furnish to all courts and to  
246 all organized police departments in the state, the names of all persons  
247 licensed as professional bondsmen under chapter 533 or bail  
248 enforcement agents under the provisions of [sections 29-152f to 29-  
249 152i, inclusive] this chapter, and shall forthwith notify such courts and  
250 all such police departments of any change in any such bondsman's or  
251 agent's status or of the suspension or revocation of the license of any  
252 such bondsman or agent to engage in such business.

253 Sec. 12. Section 29-152k of the general statutes is repealed and the  
254 following is substituted in lieu thereof (*Effective October 1, 2003*):

255 (a) Prior to taking or attempting to take into custody the principal  
256 on a bond, a professional bondsman licensed under chapter 533, a  
257 surety bail bond agent licensed under chapter 700f or a bail  
258 enforcement agent licensed under [sections 29-152f to 29-152i,  
259 inclusive] this chapter, shall notify the police department or resident  
260 state trooper for, or state police troop having jurisdiction over, the  
261 municipality in which the principal is believed to be located of such  
262 bondsman's or agent's intentions.

263 (b) Any professional bondsman licensed under chapter 533, bail  
264 enforcement agent licensed under this chapter, or surety bail bond  
265 agent licensed under chapter 700f shall be required to complete a  
266 report furnished by the Commissioner of Public Safety each time a  
267 principal has been remanded into custody after having defaulted on a  
268 bond. Such report shall include the license number assigned to every  
269 bail enforcement agent involved in the apprehension, the name of the  
270 principal apprehended, the date and time of apprehension, the location

271 of apprehension, the name of each professional bondsman, surety bail  
272 bond agent or bail enforcement agent present and participating in the  
273 apprehension, the police department or detention facility where the  
274 principal was surrendered and any other information required by the  
275 commissioner. Such report shall be maintained by each professional  
276 bondsman, surety bail bond agent or bail enforcement agent for five  
277 years, and shall be subject to inspection by law enforcement personnel  
278 for administrative and investigative purposes during normal business  
279 hours.

280 (c) Each bail enforcement agent licensed under this chapter shall  
281 collect a fee from the professional bondsman or surety bail bond agent  
282 for locating and taking into custody a principal on a bond who has  
283 defaulted on a court appearance. Such fee may include travel expenses  
284 and other reasonable costs.

285 (d) A bail enforcement agent licensed under this chapter shall not  
286 collect fees or payments on behalf of the professional bondsman or  
287 surety bail bond agent or demand or collect fees of any type from the  
288 principal on a bond, bond cosignor, or from any other family member  
289 or associate of the principal.

290 Sec. 13. Section 29-152l of the general statutes is repealed and the  
291 following is substituted in lieu thereof (*Effective October 1, 2003*):

292 (a) No professional bondsman licensed under chapter 533, surety  
293 bail bond agent licensed under chapter 700f or bail enforcement agent  
294 licensed under [sections 29-152f to 29-152i, inclusive] this chapter, shall  
295 wear, carry or display any uniform, badge, shield or other insignia or  
296 emblems that purport to indicate that such bondsman or agent is an  
297 employee, officer or agent of the state or any political subdivision of  
298 the state or of the federal government.

299 (b) The Commissioner of Public Safety shall design a badge for such  
300 professional bondsmen, surety bail bond agents and bail enforcement  
301 agents with the words "Bail Enforcement Agent" thereon and shall

302 assign an identification number to each such badge. Each such  
303 professional bondsman, surety bail bond agent or bail enforcement  
304 agent shall wear, carry or display such badge only while conducting  
305 investigations or attempting to apprehend a principal on a bond.  
306 When attempting to apprehend a principal, each such professional  
307 bondsman, surety bail bond agent or bail enforcement agent shall wear  
308 a photo identification card in plain sight above his or her waist and a  
309 jacket, shirt or vest with the words "Bail Bondsman", or "Bail  
310 Enforcement Agent" as the case may be, on both the front and the back  
311 of such jacket, shirt or vest in two-inch yellow reflective letters.

312       Sec. 14. Section 29-152m of the general statutes is repealed and the  
313 following is substituted in lieu thereof (*Effective October 1, 2003*):

314       (a) No professional bondsman licensed under chapter 533, surety  
315 bail bond agent licensed under chapter 700f or bail enforcement agent  
316 licensed under [sections 29-152f to 29-152i, inclusive] this chapter, shall  
317 carry a pistol, revolver or other firearm while engaging in the business  
318 of a professional bondsman, surety bail bond agent or bail enforcement  
319 agent, as the case may be, or while traveling to or from such business  
320 unless such bondsman or agent obtains a special permit from the  
321 Commissioner of Public Safety in accordance with the provisions of  
322 subsection (b) of this section. The permit required under this section  
323 shall be in addition to the permit requirement imposed under section  
324 29-28.

325       (b) The Commissioner of Public Safety may grant to any  
326 professional bondsman licensed under chapter 533, surety bail bond  
327 agent licensed under chapter 700f or bail enforcement agent licensed  
328 under [sections 29-152f to 29-152i, inclusive] this chapter, a permit to  
329 carry a pistol or revolver or other firearm while engaging in the  
330 business of professional bondsman, surety bail bond agent or bail  
331 enforcement agent, as the case may be, or while traveling to or from  
332 such business, provided that such bondsman or agent has proven to  
333 the satisfaction of the commissioner that such bondsman or agent has

334 successfully completed a course, approved by the commissioner, of  
335 training in the safety and use of firearms. The commissioner shall  
336 adopt regulations in accordance with the provisions of chapter 54  
337 concerning the approval of schools, institutions or organizations  
338 offering such courses, requirements for instructors and the required  
339 number of hours and content of such courses.

340 (c) Application for a permit issued pursuant to this section shall be  
341 made on forms provided by the commissioner and shall be  
342 accompanied by a thirty-one-dollar fee. Such permit shall have an  
343 expiration date that coincides with that of the state permit to carry a  
344 pistol or revolver issued pursuant to section 29-28. A permit issued  
345 pursuant to this section shall be renewable every five years with a  
346 renewal fee of thirty-one dollars. The commissioner shall send, by first  
347 class mail, a notice of expiration of the bail enforcement agent firearms  
348 permit issued pursuant to this section, together with a notice of  
349 expiration of the permit to carry a pistol or revolver issued pursuant to  
350 section 29-28, in one combined form. The commissioner shall send  
351 such combined notice to the holder of the permits not later than ninety  
352 days before the date of the expiration of both permits, and shall  
353 enclose a form for renewal of the permits. A bail enforcement agent  
354 firearms permit issued pursuant to this section shall be valid for a  
355 period of ninety days after the expiration date, except this provision  
356 shall not apply if the permit to carry a pistol or revolver has been  
357 revoked or revocation is pending pursuant to section 29-32, in which  
358 case the bail enforcement agent firearms permit shall also be revoked.

359 (d) Any bondsman or bail enforcement agent who fails to surrender  
360 a firearms permit issued pursuant to this chapter within five days of  
361 notification, in writing, of revocation of such permit, shall be guilty of  
362 a class C misdemeanor.

363 (e) Each bondsman and bail enforcement agent issued a firearms  
364 permit pursuant to this chapter shall attend an annual firearms  
365 recertification course, as approved by the commissioner pursuant to

366 regulations adopted under subsection (b) of this section. Proof of  
367 recertification shall be required at the time of renewal of the firearms  
368 permit.

369 Sec. 15. Section 29-152n of the general statutes is repealed and the  
370 following is substituted in lieu thereof (*Effective October 1, 2003*):

371 Any person who violates any provision of [sections 29-152e to  
372 29-152m, inclusive, and 38a-660a] this chapter shall be guilty of a class  
373 D felony.

374 Sec. 16. Section 29-152o of the general statutes is repealed and the  
375 following is substituted in lieu thereof (*Effective October 1, 2003*):

376 The Commissioner of Public Safety shall adopt regulations in  
377 accordance with the provisions of chapter 54 to carry out the  
378 provisions of [sections 29-152f to 29-152i, inclusive] this chapter.

This act shall take effect as follows:	
Section 1	<i>October 1, 2003</i>
Sec. 2	<i>October 1, 2003</i>
Sec. 3	<i>October 1, 2003</i>
Sec. 4	<i>October 1, 2003</i>
Sec. 5	<i>October 1, 2003</i>
Sec. 6	<i>October 1, 2003</i>
Sec. 7	<i>October 1, 2003</i>
Sec. 8	<i>October 1, 2003</i>
Sec. 9	<i>October 1, 2003</i>
Sec. 10	<i>October 1, 2003</i>
Sec. 11	<i>October 1, 2003</i>
Sec. 12	<i>October 1, 2003</i>
Sec. 13	<i>October 1, 2003</i>
Sec. 14	<i>October 1, 2003</i>
Sec. 15	<i>October 1, 2003</i>
Sec. 16	<i>October 1, 2003</i>

**PS**

*Joint Favorable C/R*

JUD