



General Assembly

February Session, 2004

Raised Bill No. 5404

LCO No. 1508

01508_____PRI

Referred to Committee on Program Review and Investigations

Introduced by:
(PRI)

AN ACT ADOPTING THE RECOMMENDATIONS OF THE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING BAIL SERVICES.

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

1 Section 1. Subsection (b) of section 54-2a of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2004*):

4 (b) The court, judge or judge trial referee issuing a bench warrant
5 for the arrest of the person or persons complained against shall, in
6 cases punishable by death or life imprisonment, set the conditions of
7 release or indicate that the person or persons named in the warrant
8 shall not be entitled to bail and may, in all other cases, set the
9 conditions of release. The conditions of release, if included in the
10 warrant, shall fix the first of the following conditions which the court,
11 judge or judge trial referee finds necessary to assure such person's
12 appearance in court: (1) [Written] Execution of a written promise to
13 appear; (2) [execution of a bond without surety in no greater amount
14 than necessary; or (3)] execution of a bond with surety in no greater
15 amount than necessary; or (3) execution of a bond and the deposit with

16 the clerk of the court of cash in the amount of the bond set.

17 Sec. 2. Section 54-63c of the general statutes, as amended by section
18 1 of public act 03-173, is repealed and the following is substituted in
19 lieu thereof (*Effective October 1, 2004*):

20 (a) Except in cases of arrest pursuant to a bench warrant of arrest in
21 which the court or a judge thereof has indicated that bail should be
22 denied or ordered that the officer or indifferent person making such
23 arrest shall, without undue delay, bring such person before the clerk or
24 assistant clerk of the superior court for the geographical area under
25 section 54-2a, when any person is arrested for a bailable offense, the
26 chief of police, or the chief's authorized designee, of the police
27 department having custody of the arrested person shall promptly
28 advise such person of the person's rights under section 54-1b, and of
29 the person's right to be interviewed concerning the terms and
30 conditions of release. Unless the arrested person waives or refuses
31 such interview, the police officer shall promptly interview the arrested
32 person to obtain information relevant to the terms and conditions of
33 the person's release from custody, and shall seek independent
34 verification of such information where necessary. At the request of the
35 arrested person, the person's counsel may be present during the
36 interview. After such a waiver, refusal or interview, the police officer
37 shall promptly order release of the arrested person upon the first of the
38 following conditions of release found sufficient to provide reasonable
39 assurance of the person's appearance in court: (1) Upon the execution
40 of a written promise to appear, [or the posting of such bond as may be
41 set by the police officer] (2) upon the execution of a bond with surety
42 in no greater amount than necessary, or (3) upon the execution of a
43 bond and the deposit of cash in the amount of the bond, except that no
44 condition of release set by the court or a judge thereof may be
45 modified by such officer and no person shall be released upon the
46 execution of a written promise to appear [or the posting of a bond
47 without surety] if the person is charged with the commission of a
48 family violence crime, as defined in section 46b-38a, and in the

49 commission of such crime the person used or threatened the use of a
50 firearm. When cash bail in excess of ten thousand dollars is received
51 for a detained person accused of a felony, where the underlying facts
52 and circumstances of the felony involve the use, attempted use or
53 threatened use of physical force against another person, the police
54 officer shall prepare a report that contains [(1)] (A) the name, address
55 and taxpayer identification number of the accused person, [(2)] (B) the
56 name, address and taxpayer identification number of each person
57 offering the cash bail, other than a person licensed as a professional
58 bondsman under chapter 533 or a surety bail [bond agent under
59 chapter 700f, (3)] bondsman, (C) the amount of cash received, and [(4)]
60 (D) the date the cash was received. Not later than fifteen days after
61 receipt of such cash bail, the police officer shall file the report with the
62 Department of Revenue Services and mail a copy of the report to the
63 state's attorney for the judicial district in which the alleged offense was
64 committed and to each person offering the cash bail. No police officer
65 shall set the terms and conditions of a person's release, set a bond for a
66 person or release a person from custody under this subsection unless
67 the police officer has first checked the National Crime Information
68 Center (NCIC) computerized index of criminal justice information to
69 determine if such person is listed in such index. If the arrested person
70 has not posted bail, the police officer shall immediately notify a bail
71 commissioner.

72 (b) The chief, acting chief, superintendent of police, the
73 Commissioner of Public Safety, any captain or lieutenant of any local
74 police department or the Division of State Police within the
75 Department of Public Safety or any person lawfully exercising the
76 powers of any such officer may take a written promise to appear, [or] a
77 bond with [or without] surety or cash bail from an arrested person as
78 provided in subsection (a) of this section, or as fixed by the court or
79 any judge thereof, may administer such oaths as are necessary in the
80 taking of promises or bonds and shall file any report required under
81 subsection (a) of this section.

82 Sec. 3. Section 54-63d of the general statutes is repealed and the
83 following is substituted in lieu thereof (*Effective October 1, 2004*):

84 (a) Upon notification by a police officer pursuant to section 54-63c,
85 as amended by this act, that an arrested person has not posted bail, a
86 bail commissioner shall promptly conduct an interview and
87 investigation as specified in subdivisions (1) and (2) of subsection (a) of
88 section 54-63b and, based upon the criteria established pursuant to
89 subsection (b) of section 54-63b and except as provided in subsection
90 (b) of this section, the bail commissioner shall promptly order release
91 of such person on the first of the following conditions of release found
92 sufficient to provide reasonable assurance of the person's appearance
93 in court: (1) Upon the execution of a written promise to appear without
94 special conditions; (2) upon the execution of a written promise to
95 appear with any of the nonfinancial conditions as specified in
96 subsection (c) of this section; (3) [upon the execution of a bond without
97 surety in no greater amount than necessary; or (4)] upon the execution
98 of a bond with surety in no greater amount than necessary, or (4) upon
99 the execution of a bond and the deposit with the clerk of the court of
100 cash in the amount of the bond. If the person is unable to meet the
101 conditions of release ordered by the bail commissioner, the bail
102 commissioner shall so inform the court in a report prepared pursuant
103 to subdivision (4) of subsection (a) of section 54-63b.

104 (b) No person shall be released upon the execution of a written
105 promise to appear [or the execution of a bond without surety] if the
106 person is charged with the commission of a family violence crime, as
107 defined in section 46b-38a, and in the commission of such crime the
108 person used or threatened the use of a firearm.

109 (c) In addition to or in conjunction with any of the conditions
110 enumerated in subdivisions (1) to (4), inclusive, of subsection (a) of this
111 section, the bail commissioner may impose nonfinancial conditions of
112 release, which may require that the arrested person do any of the
113 following: (1) Remain under the supervision of a designated person or

114 organization; (2) comply with specified restrictions on the person's
115 travel, association or place of abode; (3) not engage in specified
116 activities, including the use or possession of a dangerous weapon, an
117 intoxicant or controlled substance; (4) participate in the zero-tolerance
118 drug supervision program established under section 53a-39d; (5) avoid
119 all contact with an alleged victim of the crime and with a potential
120 witness who may testify concerning the offense; or (6) satisfy any other
121 condition that is reasonably necessary to assure the appearance of the
122 person in court. Any of the conditions imposed under subsection (a) of
123 this section and this subsection by the bail commissioner shall be
124 effective until the appearance of such person in court.

125 (d) The police department shall promptly comply with the order of
126 release of the bail commissioner, except that if the department objects
127 to the order or any of its conditions, the department shall promptly so
128 advise a state's attorney or assistant state's attorney, the bail
129 commissioner and the arrested person. The state's attorney or assistant
130 state's attorney may authorize the police department to delay release,
131 until a hearing can be had before the court then sitting for the
132 geographical area which includes the municipality in which the
133 arrested person is being detained or, if the court is not then sitting,
134 until the next sitting of said court. When cash bail in excess of ten
135 thousand dollars is received for a detained person accused of a felony,
136 where the underlying facts and circumstances of the felony involve the
137 use, attempted use or threatened use of physical force against another
138 person, the police department shall prepare a report that contains (1)
139 the name, address and taxpayer identification number of the accused
140 person, (2) the name, address and taxpayer identification number of
141 each person offering the cash bail, other than a person licensed as a
142 professional bondsman under chapter 533 or a surety bail [bond agent
143 under chapter 700f] bondsman under this act, (3) the amount of cash
144 received, and (4) the date the cash was received. Not later than fifteen
145 days after receipt of such cash bail, the police department shall file the
146 report with the Department of Revenue Services and mail a copy of the
147 report to the state's attorney for the judicial district in which the

148 alleged offense was committed and to each person offering the cash
149 bail.

150 (e) Except as provided in subsections (f) and (g) of this section, all
151 information provided to the Court Support Services Division shall be
152 for the sole purpose of determining and recommending the conditions
153 of release, and shall otherwise be confidential and retained in the files
154 of the Court Support Services Division, and not be subject to subpoena
155 or other court process for use in any other proceeding or for any other
156 purpose.

157 (f) The Court Support Services Division shall establish written
158 procedures for the release of information contained in reports and files
159 of the Court Support Services Division, such procedures to be
160 approved by the executive committee of the judges of the Superior
161 Court. Such procedures shall allow access to (1) nonidentifying
162 information by qualified persons for purposes of research related to
163 the administration of criminal justice; (2) all information provided to
164 the Court Support Services Division by probation officers for the
165 purposes of compiling presentence reports; and (3) all information
166 provided to the Court Support Services Division concerning any
167 person convicted of a crime and held in custody by the Department of
168 Correction.

169 (g) Any files and reports held by the Court Support Services
170 Division may be accessed and disclosed by employees of the division
171 in accordance with policies and procedures adopted by the Chief
172 Court Administrator.

173 Sec. 4. Section 54-63f of the general statutes is repealed and the
174 following is substituted in lieu thereof (*Effective October 1, 2004*):

175 A person who has been convicted of any offense, except a violation
176 of section 53a-54a, 53a-54b, 53a-54c or 53a-54d, [or any offense
177 involving the use, attempted use or threatened use of physical force
178 against another person,] and is either awaiting sentence or has given

179 oral or written notice of such person's intention to appeal or file a
180 petition for certification or a writ of certiorari may be released pending
181 final disposition of the case, unless the court finds custody to be
182 necessary to provide reasonable assurance of such person's appearance
183 in court, upon the first of the following conditions of release found
184 sufficient by the court to provide such assurance: (1) Upon such
185 person's execution of a written promise to appear, (2) [upon such
186 person's execution of a bond without surety in no greater amount than
187 necessary, (3)] upon such person's execution of a bond with surety in
188 no greater amount than necessary, [(4)] (3) upon such person's deposit,
189 with the clerk of the court having jurisdiction of the offense with which
190 such person stands convicted or any assistant clerk of such court who
191 is bonded in the same manner as the clerk or any person or officer
192 authorized to accept bail, a sum of money equal to the amount called
193 for by the bond required by the court, or [(5)] (4) upon such person's
194 pledge of real property, the equity of which is equal to the amount
195 called for by the bond required by the court, provided the person
196 pledging such property is the owner of such property. When cash bail
197 is offered, such bond shall be executed and the money shall be
198 received in lieu of a surety or sureties upon such bond. Such cash bail
199 shall be retained by the clerk of such court until a final order of the
200 court disposing of the same is passed, provided, if such bond is
201 forfeited, the clerk of such court shall pay the money to the payee
202 named therein, according to the terms and conditions of the bond.

203 Sec. 5. Section 54-64a of the general statutes, as amended by section
204 107 of public act 03-278, is repealed and the following is substituted in
205 lieu thereof (*Effective October 1, 2004*):

206 (a) (1) Except as provided in subsection (b) of this section, when any
207 arrested person is presented before the Superior Court, said court
208 shall, in bailable offenses, promptly order the release of such person
209 upon the first of the following conditions of release found sufficient to
210 reasonably assure the appearance of the arrested person in court: (A)
211 Upon his execution of a written promise to appear without special

212 conditions, (B) upon his execution of a written promise to appear with
213 nonfinancial conditions, [(C) upon his execution of a bond without
214 surety in no greater amount than necessary, (D)] (C) upon his
215 execution of a bond with surety in no greater amount than necessary,
216 or (D) upon his execution of a bond and the deposit with the clerk of
217 the court of cash in the amount of the bond. In addition to or in
218 conjunction with any of the conditions enumerated in subparagraphs
219 (A) to (D), inclusive, of this subdivision the court may, when it has
220 reason to believe that the person is drug-dependent and where
221 necessary, reasonable and appropriate, order the person to submit to a
222 urinalysis drug test and to participate in a program of periodic drug
223 testing and treatment. The results of any such drug test shall not be
224 admissible in any criminal proceeding concerning such person.

225 (2) The court may, in determining what conditions of release will
226 reasonably assure the appearance of the arrested person in court,
227 consider the following factors: (A) The nature and circumstances of the
228 offense, (B) such person's record of previous convictions, (C) such
229 person's past record of appearance in court after being admitted to
230 bail, (D) such person's family ties, (E) such person's employment
231 record, (F) such person's financial resources, character and mental
232 condition, and (G) such person's community ties.

233 (b) (1) When any arrested person [charged with the commission of a
234 class A felony, a class B felony, except a violation of section 53a-86 or
235 53a-122, a class C felony, except a violation of section 53a-87, 53a-152
236 or 53a-153, or a class D felony under sections 53a-60 to 53a-60c,
237 inclusive, section 53a-72a, 53a-95, 53a-103, 53a-103a, 53a-114, 53a-136
238 or 53a-216, or a family violence crime, as defined in section 46b-38a,] is
239 presented before the Superior Court and the court determines that the
240 nature and circumstances of the offense indicate such person may pose
241 a danger to the safety of another person, said court shall, in bailable
242 offenses, promptly order the release of such person upon the first of
243 the following conditions of release found sufficient to reasonably
244 assure the appearance of the arrested person in court and that the

245 safety of any other person will not be endangered: (A) Upon such
246 person's execution of a written promise to appear without special
247 conditions, (B) upon such person's execution of a written promise to
248 appear with nonfinancial conditions, (C) [upon such person's
249 execution of a bond without surety in no greater amount than
250 necessary, (D)] upon such person's execution of a bond with surety in
251 no greater amount than necessary, or (D) upon such person's execution
252 of a bond and the deposit with the clerk of the court of cash in the
253 amount of the bond. In addition to or in conjunction with any of the
254 conditions enumerated in subparagraphs (A) to (D), inclusive, of this
255 subdivision, the court may, when it has reason to believe that the
256 person is drug-dependent and where necessary, reasonable and
257 appropriate, order the person to submit to a urinalysis drug test and to
258 participate in a program of periodic drug testing and treatment. The
259 results of any such drug test shall not be admissible in any criminal
260 proceeding concerning such person.

261 (2) The court may, in determining what conditions of release will
262 reasonably assure the appearance of the arrested person in court and
263 that the safety of any other person will not be endangered, consider the
264 following factors [:(A) The nature and circumstances of the offense, (B)
265 such person's record of previous convictions, (C) such person's past
266 record of appearance in court after being admitted to bail, (D) such
267 person's family ties, (E) such person's employment record, (F) such
268 person's financial resources, character and mental condition, (G) such
269 person's community ties, (H) the number and seriousness of charges
270 pending against the arrested person, (I) the weight of the evidence
271 against the arrested person, (J) the] in addition to the factors set forth
272 in subdivision (2) of subsection (a) of this section: (A) The arrested
273 person's history of violence, [(K)] (B) whether the arrested person has
274 previously been convicted of similar offenses while released on bond,
275 and [(L)] (C) the likelihood based upon the expressed intention of the
276 arrested person that such person will commit another crime while
277 released.

278 (c) If the court determines that a nonfinancial condition of release
279 should be imposed pursuant to subparagraph (B) of subdivision (1) of
280 subsection (a) or (b) of this section, the court shall order the pretrial
281 release of the person subject to the least restrictive condition or
282 combination of conditions that the court determines will reasonably
283 assure the appearance of the arrested person in court and, with respect
284 to the release of the person pursuant to subsection (b) of this section,
285 that the safety of any other person will not be endangered, which
286 conditions may include an order that the arrested person do one or
287 more of the following: (1) Remain under the supervision of a
288 designated person or organization; (2) comply with specified
289 restrictions on such person's travel, association or place of abode; (3)
290 not engage in specified activities, including the use or possession of a
291 dangerous weapon, an intoxicant or a controlled substance; (4)
292 participate in the zero-tolerance drug supervision program established
293 under section 53a-39d; (5) provide sureties of the peace pursuant to
294 section 54-56f under supervision of a designated bail commissioner; (6)
295 avoid all contact with an alleged victim of the crime and with a
296 potential witness who may testify concerning the offense; (7) maintain
297 employment or, if unemployed, actively seek employment; (8)
298 maintain or commence an educational program; (9) be subject to
299 electronic monitoring; or (10) satisfy any other condition that is
300 reasonably necessary to assure the appearance of the person in court
301 and that the safety of any other person will not be endangered. The
302 court shall state on the record its reasons for imposing any such
303 nonfinancial condition.

304 (d) If the arrested person is not released, the court shall order him
305 committed to the custody of the Commissioner of Correction until he is
306 released or discharged in due course of law.

307 (e) The court may require that the person subject to electronic
308 monitoring pursuant to subsection (c) of this section pay directly to the
309 electronic monitoring service provider a fee for the cost of such
310 electronic monitoring services. If the court finds that the person subject

311 to electronic monitoring is indigent and unable to pay the costs of
312 electronic monitoring services, the court shall waive such costs. Any
313 contract entered into by the judicial branch and the electronic
314 monitoring service provider shall include a provision stating that the
315 total cost for electronic monitoring services shall not exceed five
316 dollars per day. Such amount shall be indexed annually to reflect the
317 rate of inflation.

318 Sec. 6. Section 54-69 of the general statutes is repealed and the
319 following is substituted in lieu thereof (*Effective October 1, 2004*):

320 (a) Whenever in any criminal prosecution the state's attorney for
321 any judicial district or the assistant state's attorney is of the opinion
322 that the bond without or with surety given by any accused person is
323 excessive or insufficient in amount or security, or that the written
324 promise of such person to appear is inadequate, or whenever any
325 accused person alleges that the amount or security of the bond given
326 by such accused person is excessive, such state's attorney or assistant
327 state's attorney or the accused person may bring an application to the
328 court in which the prosecution is pending or to any judge thereof,
329 alleging such excess, insufficiency, or inadequacy, and, after notice as
330 hereinafter provided and hearing, such judge shall in bailable offenses
331 continue, modify or set conditions of release upon the first of the
332 following conditions of release found sufficient to provide reasonable
333 assurance of the appearance of the accused in court: (1) Upon such
334 person's execution of a written promise to appear, (2) [upon such
335 person's execution of a bond without surety in no greater amount than
336 necessary, (3)] upon such person's execution of a bond with surety in
337 no greater amount than necessary, or (3) upon such person's execution
338 of a bond and the deposit with the clerk of the court of cash in the
339 amount of the bond.

340 (b) No hearing upon any such application shall be had until a copy
341 of such application, together with a notice of the time and place of
342 hearing thereon, has been served upon the surety or sureties upon

343 such bond, if any, and upon the appropriate bail commissioner and, in
344 the case of an application by an accused person, upon any such state's
345 attorney, or, in the case of the application by any such state's attorney,
346 upon the accused person.

347 (c) Notwithstanding the provisions of subsection (b) of this section,
348 a hearing may be had on an application by any such state's attorney
349 without a copy of such application and notice of the hearing being
350 served upon the surety or sureties upon such bond, if any, the
351 appropriate bail commissioner and the accused person if the accused
352 person is charged with the commission of a family violence crime, as
353 defined in section 46b-38a, or a violation of section 53a-181c, 53a-181d,
354 53a-181e, 53a-223 or 53a-223b, as amended, and is being presented at
355 the next sitting of the Superior Court as required by section 54-1g.

356 Sec. 7. (NEW) (*Effective October 1, 2004*) In any criminal case in
357 which an arrested person's release is conditioned on the deposit with
358 the clerk of the court of cash equal to ten per cent of the amount of the
359 bond or cash in the amount of the bond, no professional bondsman or
360 surety bail bondsman licensed pursuant to chapter 533 of the general
361 statutes may deposit such cash on behalf of the arrested person.

362 Sec. 8. (NEW) (*Effective from passage*) The Commissioner of Public
363 Safety shall not issue a new license as a professional bondsman under
364 chapter 533 of the general statutes on or after July 1, 2004. Any license
365 issued prior to July 1, 2004, may be renewed in accordance with section
366 29-147 of the general statutes, as amended by this act, unless it lapses,
367 is terminated by the licensee or is revoked by the commissioner.

368 Sec. 9. (NEW) (*Effective from passage*) (a) The licensing and regulatory
369 authority for surety bail bond agents is transferred from the Insurance
370 Department to the Department of Public Safety, effective October 1,
371 2004.

372 (b) The Insurance Department and the Department of Public Safety
373 shall submit estimated, current annual expenditure requirements of

374 their respective agencies for the licensing and regulation of surety bail
375 bond agents to the Office of Policy and Management not later than
376 June 1, 2004. . During the fiscal year ending June 30, 2005, the Office of
377 Policy and Management shall monitor the implementation of the
378 transfer of licensing and regulatory authority pursuant to this act and
379 shall transfer sufficient funds from the appropriation to the Insurance
380 Department to the appropriation to the Department of Public Safety
381 for such purpose.

382 Sec. 10. Section 29-144 of the general statutes is repealed and the
383 following is substituted in lieu thereof (*Effective October 1, 2004*):

384 Any person who makes a business of furnishing bail in criminal
385 cases or who furnishes bail in five or more criminal cases in any one
386 year, whether for compensation or otherwise, shall be deemed a
387 professional bondsman or surety bail bondsman and shall be subject to
388 the provisions of this chapter. Any resident elector of the state of
389 Connecticut who is of good moral character and of sound financial
390 responsibility may, upon obtaining a license therefor in accordance
391 with the provisions of this chapter, engage in the business of
392 professional bondsman or surety bail bondsman within this state.

393 Sec. 11. Section 29-145 of the general statutes is repealed and the
394 following is substituted in lieu thereof (*Effective October 1, 2004*):

395 (a) Any person desiring to engage in the business of a [professional
396 bondsman] or surety bail bondsman shall apply to the Commissioner
397 of Public Safety for a license therefor. Such application shall [set forth
398 under oath the full name, age, residence and occupation of the
399 applicant, whether the applicant intends to engage in the business of a
400 professional bondsman individually or in partnership or association
401 with another or others, and, if so, the identity of each. It shall also set
402 forth under oath a statement of the assets and liabilities of the
403 applicant, and whether the applicant has been charged with or
404 convicted of crime, and such other information, including fingerprints
405 and photographs, as said commissioner from time to time may require.

406 The commissioner shall require the applicant to submit to state and
407 national criminal history records checks. The criminal history records
408 checks required pursuant to this section shall be conducted in
409 accordance with section 29-17a. No person who has been convicted of
410 a felony shall be licensed to do business as a professional bondsman in
411 this state. No person engaged in law enforcement or vested with police
412 powers shall be licensed to do business as a professional bondsman] be
413 in such form as the commissioner may prescribe.

414 (b) Each application shall be signed by the applicant and shall be
415 accompanied by a nonrefundable filing fee of two hundred fifty
416 dollars. The applicant shall submit with the application a complete set
417 of the applicant's fingerprints, certified by an authorized law
418 enforcement officer, a photograph of the applicant, four letters of
419 reference, an employment history for the preceding five years and
420 such other information as the commissioner may prescribe.

421 (c) Every applicant for a license shall also file with the commissioner
422 a notice of appointment executed by an insurer or its authorized
423 representative authorizing such applicant to execute undertakings of
424 bail and to solicit and negotiate such undertakings on its behalf. Each
425 appointment shall, by its terms, continue in force until termination of
426 the surety bail bondsman's license, or the filing of a notice of
427 termination by the insurer or its representative or by such surety bail
428 bondsman.

429 (d) Each applicant for a surety bail bondsman license shall:

430 (1) Be at least twenty-five years of age;

431 (2) Be a legal resident of the United States and this state;

432 (3) Have received a high school diploma or its equivalent;

433 (4) Be honorably discharged from, or released under honorable
434 conditions from active service or reserve status in, the armed forces of
435 the United States, if such applicant had been a member of the armed

436 forces of the United States,

437 (5) Have not been convicted of a felony;

438 (6) Have not been convicted of a violation of section 21a-279, 53a-58,
439 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-173, 53a-175, 53a-176, 53a-
440 178 or 53a-181d, or any offense involving truth, veracity or moral
441 fitness, or any offense in any other state the essential elements of which
442 are substantially the same as said sections or such offense;

443 (7) Have no pending bankruptcy proceeding or other civil litigation
444 that may affect the applicant's financial status; and

445 (8) Not be employed as a law enforcement official or vested with
446 any police powers.

447 Sec. 12. Section 29-146 of the general statutes is repealed and the
448 following is substituted in lieu thereof (*Effective October 1, 2004*):

449 [The Commissioner of Public Safety shall, upon receipt of such
450 application, cause an investigation to be made of the character and
451 financial responsibility of the applicant and, if he finds that such
452 applicant is a resident elector of good moral character and of sound
453 financial responsibility, he shall, upon payment by such applicant to
454 the state of a license fee of one hundred dollars, issue a license to such
455 applicant to do business in this state as a professional bondsman. Each
456 such license shall be for such term not exceeding one year as said
457 commissioner determines.]

458 (a) The commissioner shall, upon receipt of such application, cause
459 a background investigation to be made of the applicant. The
460 commissioner shall require the applicant to submit to state and
461 national criminal history records checks. The criminal history records
462 checks shall be conducted in accordance with section 29-17a. The
463 commissioner shall interview the applicant.

464 (b) The commissioner may issue a surety bail bondsman license to a

465 person if the commissioner finds that the applicant:

466 (1) Has met the requirements of section 29-145, as amended by this
467 act;

468 (2) Has successfully completed within the five years next preceding
469 the date of the application a twenty-hour prelicensing course
470 prescribed by the department and provided by the department or a
471 private entity approved by the department;

472 (3) Has taken and passed, with a minimum passing score of at least
473 seventy per cent, an examination prescribed by the commissioner to
474 test the applicant's competency and qualifications in the areas of bail
475 bonds, general insurance regulations and unfair practices, the criminal
476 justice system including the rearrest power, use of physical force and
477 restraint and any other area deemed appropriate by the commissioner;

478 (4) Is of good moral character; and

479 (5) Is of sound financial responsibility.

480 Sec. 13. (NEW) (*Effective October 1, 2004*) Any person responsible for
481 the operation and management of a partnership, association,
482 corporation, company or other firm that is in the business of furnishing
483 bail in criminal cases or for the supervision of professional bondsmen
484 or surety bail bondsmen within such partnership, association,
485 corporation, company or other firm shall be licensed as a professional
486 bondsman or surety bail bondsman pursuant to chapter 533 of the
487 general statutes.

488 Sec. 14. (NEW) (*Effective from passage*) Any person licensed as a
489 professional bondsman pursuant to chapter 533 of the general statutes
490 or a surety bail bond agent pursuant to chapter 700f of the general
491 statutes shall furnish a performance bond in the amount of ten
492 thousand dollars to the Department of Public Safety not later than June
493 30, 2004. The bond shall be in force during the term of such
494 bondsman's or agent's license, including any renewal thereof. The

495 department shall return such bond to such bondsman or agent upon
496 voluntary termination of such license by the licensee or revocation of
497 such license by the department, except that the department may
498 withhold from the amount of such bond any unpaid penalty imposed
499 upon such licensee by the department.

500 Sec. 15. (NEW) (*Effective October 1, 2004*) Prior to the issuance or
501 renewal by the department of a license as a professional bail
502 bondsman, surety bail bondsman or bail enforcement agent, any
503 applicant or licensee who intends to engage in apprehending or
504 otherwise delivering into custody principals who have defaulted on
505 bonds, shall provide to the department evidence of general liability
506 insurance coverage in an amount of not less than three hundred
507 thousand dollars to insure against liability for damages resulting from
508 such activities including, but not limited to, damages for false arrest,
509 false imprisonment, libel and slander.

510 Sec. 16. (NEW) (*Effective October 1, 2004*) A professional bondsman
511 or surety bail bondsman shall provide written notice to the
512 commissioner within two business days of any change of address. The
513 notification shall include the bondsman's old address and new
514 address.

515 Sec. 17. Section 29-147 of the general statutes is repealed and the
516 following is substituted in lieu thereof (*Effective October 1, 2004*):

517 (a) Each professional bondsman and surety bail bondsman licensed
518 under the provisions of this chapter may apply for a renewal of [his]
519 such bondsman's license upon renewal application forms provided by
520 the Commissioner of Public Safety and requiring the disclosure of such
521 information as said commissioner requires in determining whether or
522 not such professional bondsman's or surety bail bondsman's financial
523 responsibility remains unimpaired or whether for any other reason
524 such bondsman's fitness to continue in such business has been
525 otherwise altered since the issuance of any prior license. The
526 commissioner shall conduct a thorough investigation of each

527 bondsman applying for license renewal. The fee for renewal of a
528 license is two hundred fifty dollars.

529 (b) Each professional bondsman and surety bail bondsman shall
530 attend a biennial in-service training course consisting of not less than
531 eight hours of instruction in subject areas related to their profession as
532 determined by the department. Such course shall be prescribed by the
533 department and be provided by the department or a private entity
534 approved by the department.

535 (c) Said commissioner may refuse to renew, suspend for a definite
536 term or revoke any license issued under the provisions of this chapter,
537 [if it appears to said commissioner that such licensee has been
538 convicted of a felony in this state or elsewhere or is engaged in any
539 unlawful activity affecting his fitness to continue in the business of
540 professional bondsman or that his financial responsibility has been
541 substantially impaired] provided notice shall have been given to the
542 licensee to appear before the commissioner to show cause why the
543 license should not be suspended, revoked or refused renewal, upon a
544 finding by the commissioner that: (1) The licensee has violated any of
545 the provisions of this chapter or this act, (2) the licensee has practiced
546 fraud, deceit or misrepresentation, (3) the licensee has made a material
547 misstatement in the application for issuance or renewal of such license,
548 (4) the licensee has substantially impaired financial responsibility, (5)
549 the licensee has demonstrated incompetence or untrustworthiness in
550 the conduct of the licensee's business, (6) the licensee has been
551 convicted of a felony or any offense specified in subdivision (6) of
552 subsection (d) of section 29-145, as amended by this act.

553 (d) The suspension or revocation of, or the refusal to renew a license
554 of a professional bondsman or surety bail bondsman under this section
555 shall also result in the suspension or revocation of any bail
556 enforcement agent license issued to such person pursuant to chapter
557 533a, any professional bail bondsman or surety bail bondsman license
558 issued to such person pursuant to chapter 533 and any firearm permit

559 issued to such person pursuant to section 29-152m, as amended by this
560 act. Any professional bondsman or surety bail bondsman who fails to
561 surrender such license within five days of notification in writing of the
562 suspension or revocation of, or refusal to renew, such license shall be
563 guilty of a class B misdemeanor.

564 (c) Any party aggrieved by an order of the commissioner under this
565 section may appeal therefrom in accordance with the provisions of
566 section 4-183, except venue for such appeal shall be in the judicial
567 district of Hartford.

568 Sec. 18. Section 29-147a of the general statutes is repealed and the
569 following is substituted in lieu thereof (*Effective October 1, 2004*):

570 The Commissioner of Public Safety may suspend any license issued
571 under the provisions of this chapter of any professional bondsman or
572 surety bail bondsman, when [he] the commissioner finds that such
573 surety has failed to pay a forfeited bond. Such license shall remain so
574 suspended and shall not be reinstated nor shall any such license be
575 issued to such surety until such person pays such forfeited bond. The
576 commissioner may revoke any license issued under the provisions of
577 this chapter of any professional bondsman or surety bail bondsman
578 when the commissioner finds a pattern of license suspensions for
579 failure to pay a forfeited bond.

580 Sec. 19. Section 29-148 of the general statutes is repealed and the
581 following is substituted in lieu thereof (*Effective October 1, 2004*):

582 Each professional bondsman and surety bail bondsman licensed
583 under the provisions of this chapter shall forthwith inform the
584 Commissioner of Public Safety in writing of any material change in his
585 assets or liabilities affecting his responsibility as a bondsman and shall
586 at any time, upon request of said commissioner, furnish him with a
587 statement under oath of his assets and liabilities, including all bonds
588 on which such bondsman is obligated.

589 Sec. 20. Section 29-149 of the general statutes is repealed and the
590 following is substituted in lieu thereof (*Effective October 1, 2004*):

591 The Commissioner of Public Safety shall furnish to all courts and to
592 all town, city and borough departments in the state, having authority
593 to accept bail, the names of all professional bondsmen and surety bail
594 bondsmen licensed under the provisions of this chapter and shall
595 forthwith notify such courts and all such town, city and borough
596 departments of any change in any such bondsman's status or of the
597 suspension or revocation of any bondsman's license to engage in such
598 business.

599 Sec. 21. Section 29-150 of the general statutes is repealed and the
600 following is substituted in lieu thereof (*Effective October 1, 2004*):

601 Each professional bondsman and surety bail bondsman shall, when
602 furnishing surety for recognizances of any person charged with crime,
603 take oath to the sufficiency of his security upon a uniform form
604 furnished for such purpose by the clerk of the Superior Court and
605 approved by the Commissioner of Public Safety. No person who offers
606 himself as surety on bail in any criminal case shall falsely represent
607 that he is the legal or equitable owner of any stated property.

608 Sec. 22. Section 29-152 of the general statutes is repealed and the
609 following is substituted in lieu thereof (*Effective October 1, 2004*):

610 Any person who violates any provision of this chapter shall be fined
611 not more than one thousand dollars or imprisoned not more than two
612 years or both and his right to engage in the business of a professional
613 bondsman or surety bail bondsman in this state shall thereupon be
614 permanently forfeited.

615 Sec. 23. (NEW) (*Effective October 1, 2004*) (a) No professional
616 bondsman or surety bail bondsman licensed under chapter 533 of the
617 general statutes shall:

618 (1) Charge a fee or premium for a bail bond other than authorized

619 by law;

620 (2) Directly or indirectly advertise, solicit business or loiter at any
621 superior court location or any place where arrested persons are
622 confined, except as provided in subsection (b) of this section;

623 (3) Offer a rebate or credit terms for payment of a fee or premium
624 for a bail bond;

625 (4) Advertise discounted or reduced rates or credit plans or use any
626 business trade name or style that directly or indirectly suggests lower
627 or discounted rates or better terms than those of another bondsman;

628 (5) Pay anything of value to another person for a bail bond referral
629 or bail bond service unless such other person is a licensed professional
630 bondsman or surety bail bondsman;

631 (6) Post a ten per cent cash bond or a cash only bond for an arrested
632 person;

633 (7) Post a surety bond with fraudulent documents;

634 (8) Pay a fee or rebate or give or promise anything of value to a
635 public official or employee in order to secure a client or a settlement,
636 compromise or reduction in the amount of a bail bond;

637 (9) Fail to maintain or submit for review or audit any required
638 business records or documents;

639 (10) Take a fugitive into custody without proper authorization; or

640 (11) Use a name or designation that implies any association with a
641 municipal, state or federal government agency or may tend to mislead
642 the public.

643 (b) Professional bondsmen and surety bail bondsmen shall be
644 allowed to limited print or display advertising in or around any
645 location where arrested persons are confined and at superior court

646 locations. Such advertising shall be limited to a listing in a telephone
647 directory and the posting of a licensee's name, address and telephone
648 number at a location within the facility or building as designated by
649 the administrator of the facility or building.

650 (c) For the purposes of this section, "solicit" means to distribute
651 business cards, novelty items, print advertising or other written
652 information, or provide verbal information to, an arrested person or
653 potential indemnitor without such information being requested by
654 such arrested person or indemnitor.

655 (d) A violation of any provision of this section is an infraction.

656 Sec. 24. (NEW) (*Effective October 1, 2004*) (a) No professional
657 bondsman or surety bail bondsman licensed under chapter 533 of the
658 general statutes or bail enforcement agent licensed under chapter 533a
659 of the general statutes who engages in the taking or attempting to take
660 into custody a principal on a bond who has failed to appear in court
661 shall:

662 (1) Take a defendant into custody prior to a court ordering the
663 forfeiture of the bond or issuing a mittimus or prior to receiving
664 written authorization from a licensed professional bondsman, licensed
665 surety bail bondsman or insurer;

666 (2) Enter an occupied residence without the consent of the
667 occupants;

668 (3) Forcibly enter an inhabited dwelling without prior notice to the
669 local law enforcement agency;

670 (4) Use force against an innocent third party;

671 (5) Collect fees or payments of any type on behalf of a professional
672 bondsman or surety bail bondsman;

673 (6) Collect fees or payments of any type from a principal on a bond,

674 an indemnitor or any other person associated with the principal; or

675 (7) Use a trade name or designation that implies any association
676 with a municipal, state or federal government agency or that may tend
677 to mislead the public.

678 (b) A violation of any provision of this section is an infraction.

679 Sec. 25. Section 29-151 of the general statutes is repealed and the
680 following is substituted in lieu thereof (*Effective October 1, 2004*):

681 [No such] A professional bondsman or surety bail bondsman shall
682 charge [for his commission or fee more than fifty dollars for the
683 amount of bail furnished by him up to five hundred dollars, nor more
684 than ten per cent of the amount of bail furnished by him from five
685 hundred dollars up to five thousand dollars, nor more than seven per
686 cent of the amount of bail furnished by him on sums in excess of five
687 thousand dollars] a nonrefundable fee of ten per cent of the amount of
688 bail furnished by such bondsman on sums in excess of five hundred
689 dollars. When a professional bondsman or surety bail bondsman has
690 furnished bail to an accused in a criminal proceeding, the fee which
691 [he] such bondsman receives therefor shall be credited on account of
692 [his] such bondsman's fee for any subsequent bail in an increased
693 amount which [he] such bondsman may furnish for the same person in
694 the same criminal proceeding; but this provision shall not apply to bail
695 furnished on appeal of a conviction or bindover of an accused. Each
696 professional bondsman and surety bail bondsman licensed under the
697 provisions of this chapter shall annually, during the month of January,
698 on forms furnished by the Commissioner of Public Safety, report to
699 said commissioner in detail the names of the persons for whom such
700 bondsman has become surety during the year ended December thirty-
701 first preceding, with the date, the amount of bond and the fee charged
702 and paid and such further information as said commissioner requires.

703 Sec. 26. (NEW) (*Effective October 1, 2004*) (a) Whenever a professional
704 bondsman or surety bail bondsman posts a surety bond on behalf of a

705 person charged with crime, such bondsman shall provide a written
706 receipt to the principal on the bond that specifies: (1) The principal's
707 name, (2) the indemnitor's name, (3) the case docket number, (4) the
708 total amount of the surety bond, (5) the total amount of the
709 nonrefundable fee paid by the principal or indemnitor, (6) the total
710 value of any collateral posted by the principal or indemnitor, (7) the
711 date the bond was posted, and (8) the date the nonrefundable fee was
712 received by the bondsman.

713 (b) Whenever a professional bondsman or surety bail bondsman
714 posts a surety bond on behalf of a person charged with a crime, such
715 bondsman shall record on the appearance bond filed with the court (1)
716 the amount of the nonrefundable fee paid to the bondsman by the
717 principal or indemnitor pursuant to section 29-151 of the general
718 statutes, as amended by this act, and (2) if the surety bond is
719 underwritten by an insurer, the five digit identification code assigned
720 to such insurer by the National Association of Insurance
721 Commissioners.

722 Sec. 27. (NEW) (*Effective October 1, 2004*) (a) A professional
723 bondsman or surety bail bondsman shall maintain as part of such
724 bondsman's business records a copy of all surety bonds executed and
725 written receipts provided.

726 (b) The Commissioner of Public Safety, the Insurance Commissioner
727 and the Attorney General, or their authorized representatives, may
728 examine, copy and audit, at reasonable times and in a reasonable
729 manner, the books, papers, records and accounts of a professional
730 bondsman or surety bail bondsman for the purpose of carrying out
731 their regulatory duties under this act.

732 Sec. 28. (NEW) (*Effective October 1, 2004*) (a) Any person posting a
733 surety bond, ten per cent cash bond, cash only bond or property bond
734 in an amount of five hundred dollars or more with the court shall pay
735 to the clerk of the court a processing fee of twenty-five dollars.

736 (b) All fees collected pursuant to this section shall be deposited in
737 the bail bond account established pursuant to section 29 of this act.

738 Sec. 29. (NEW) (*Effective October 1, 2004*) There is established an
739 account to be known as the bail bond account which shall be a separate
740 nonlapsing account within the General Fund. The account shall
741 contain any moneys required by law to be deposited in the account.
742 Any balance remaining in said account at the end of any fiscal year
743 shall be carried forward in the account for the next fiscal year.

744 (b) The moneys in the account shall be used by the Judicial Branch
745 for (1) the administrative costs associated with processing bail bonds,
746 and (2) the jail reinterview project.

747 Sec. 30. Section 54-65a of the general statutes, as amended by section
748 21 of public act 03-202, is repealed and the following is substituted in
749 lieu thereof (*Effective October 1, 2004*):

750 (a) Whenever an arrested person is released upon the execution of a
751 bond with surety in an amount of five hundred dollars or more and
752 such bond is ordered forfeited because the principal failed to appear in
753 court as conditioned in such bond, the court shall, at the time of
754 ordering the bond forfeited: (1) Issue a rearrest warrant or a capias
755 directing a proper officer to take the defendant into custody, (2)
756 provide written notice to the surety on the bond that the principal has
757 failed to appear in court as conditioned in such bond, except that if the
758 surety on the bond is an insurer, [as defined in section 38a-660,] the
759 court shall provide such notice to such insurer in accordance with
760 subsection (b) of this section and not to the surety bail [bond agent, as
761 defined in section 38a-660] bondsman, and (3) order a stay of execution
762 upon the forfeiture for six months.

763 (b) The notice to an insurer that is required pursuant to subdivision
764 (2) of subsection (a) of this section shall be sent to the street address of
765 the principal office of such insurer as last shown on the records of the
766 Insurance Department and shall not be sent to any other person or any

767 other address. There shall be a presumption that a notice sent to an
768 insurer pursuant to this subsection and not returned to the sender was
769 received by the insurer.

770 (c) When the principal whose bond has been forfeited is returned to
771 custody pursuant to the rearrest warrant or a capias within six months
772 of the date such bond was ordered forfeited, the bond shall be
773 automatically terminated and the surety released and the court shall
774 order new conditions of release for the defendant in accordance with
775 section 54-64a, as amended. When the principal whose bond has been
776 forfeited returns to court voluntarily within five business days of the
777 date such bond was ordered forfeited, the court may, in its discretion,
778 and after finding that the defendant's failure to appear was not wilful,
779 vacate the forfeiture order and reinstate the bond. Such stay of
780 execution shall not prevent the issuance of a rearrest warrant or a
781 capias.

782 [(b)] (d) Whenever an arrested person, whose bond has been
783 forfeited, is returned to the jurisdiction of the court within one year of
784 the date such bond was ordered forfeited, the surety on such bond
785 shall be entitled to a rebate of that portion of the forfeited amount as
786 may be fixed by the court or as may be established by a schedule
787 adopted by rule of the judges of the superior court. The judges of the
788 superior court shall review such schedule and, if deemed necessary,
789 amend such schedule. Any surety or other person seeking a rebate
790 shall make application to the Department of Administrative Services.

791 (e) The court shall not reduce, extend or vacate the stay of execution
792 ordered pursuant to subdivision (3) of subsection (a) of this section.

793 Sec. 31. Section 54-66 of the general statutes is repealed and the
794 following is substituted in lieu thereof (*Effective October 1, 2004*):

795 (a) In any criminal case in which a bond is allowable or required
796 and the amount thereof has been determined, the accused person, or
797 any person in the accused person's behalf, (1) may deposit, with the

798 clerk of the court having jurisdiction of the offense with which the
799 accused stands charged or any assistant clerk of such court who is
800 bonded in the same manner as the clerk or any person or officer
801 authorized to accept bail, a sum of money equal to the amount called
802 for by such bond, or (2) may pledge real property, the equity of which
803 is equal to the amount called for by such bond, provided the person
804 pledging such property is the owner of such property, and such
805 accused person shall thereupon be admitted to bail. When cash bail is
806 offered, such bond shall be executed and the money shall be received
807 in lieu of a surety or sureties upon such bond. Such cash bail shall be
808 retained by the clerk of such court until a final order of the court
809 disposing of the same is passed; provided, if such bond is forfeited, the
810 clerk of such court shall pay the money to the payee named therein,
811 according to the terms and conditions of the bond. When cash bail in
812 excess of ten thousand dollars is received for a person accused of a
813 felony, where the underlying facts and circumstances of the felony
814 involve the use, attempted use or threatened use of physical force
815 against another person, the clerk of such court shall prepare a report
816 that contains (A) the name, address and taxpayer identification
817 number of the accused person, (B) the name, address and taxpayer
818 identification number of each person offering the cash bail, other than
819 a person licensed as a professional bondsman or surety bail bondsman
820 under chapter 533, [or a surety bail bond agent under chapter 700f,] (C)
821 the amount of cash received, and (D) the date the cash was received.
822 Not later than fifteen days after receipt of such cash bail, the clerk of
823 such court shall file the report with the Department of Revenue
824 Services and mail a copy of the report to the state's attorney for the
825 judicial district in which the court is located and to each person
826 offering the cash bail.

827 (b) [When] Whenever real property is pledged, the pledge shall
828 constitute a lien on the real property upon the filing of a notice of lien
829 in the office of the town clerk of the town in which the property is
830 located. The lien shall be in an amount equal to the bond set by the
831 court. The notice of lien shall be on a form prescribed by the Office of

832 the Chief Court Administrator. Upon order of forfeiture of the
833 underlying bond, the state's attorney for the judicial district in which
834 the forfeiture is ordered shall refer the matter to the Attorney General
835 and the Attorney General may, on behalf of the state, foreclose such
836 lien in the same manner as a mortgage. The lien created by this
837 subsection shall expire six years after the forfeiture is ordered unless
838 the Attorney General commences an action to foreclose it within that
839 period of time and records a notice of lis pendens in evidence thereof
840 on the land records of the town in which the property is located. If the
841 bond has not been ordered forfeited, the clerk of the court shall
842 authorize the recording of a release of such lien upon final disposition
843 of the criminal matter or upon order of the court. The release shall be
844 on a form prescribed by the Office of the Chief Court Administrator.

845 (c) Whenever an accused person is released upon the deposit by a
846 person on behalf of the accused person of a sum of money equal to the
847 amount called for by such bond or upon the pledge by a person on
848 behalf of the accused person of real property, the equity of which is
849 equal to the amount called for by such bond, and such bond is ordered
850 forfeited because the accused person failed to appear in court as
851 conditioned in such bond, the court shall, at the time of ordering the
852 bond forfeited: (1) Issue a rearrest warrant or a capias directing a
853 proper officer to take the accused person into custody, (2) provide
854 written notice to the person who offered cash bail or pledged real
855 property on behalf of the accused person that the accused person has
856 failed to appear in court as conditioned in such bond, and (3) order a
857 stay of execution upon the forfeiture for six months. When the accused
858 person whose bond has been forfeited is returned to custody pursuant
859 to the rearrest warrant or a capias within six months of the date such
860 bond was ordered forfeited, the bond shall be automatically
861 terminated and the person who offered cash bail or pledged real
862 property on behalf of the accused person shall be released from such
863 obligation and the court shall order new conditions of release for the
864 accused person in accordance with section 54-64a, as amended. When
865 the accused person whose bond has been forfeited returns to court

866 voluntarily within five business days of the date such bond was
867 ordered forfeited, the court may, in its discretion, and after finding that
868 the accused person's failure to appear was not wilful, vacate the
869 forfeiture order and reinstate the bond. Such stay of execution shall not
870 prevent the issuance of a rearrest warrant or a capias.

871 (d) Whenever an accused person, whose bond has been forfeited, is
872 returned to the jurisdiction of the court within one year of the date
873 such bond was ordered forfeited, the person who offered cash bail or
874 pledged real property shall be entitled to a rebate of that portion of the
875 forfeited amount or equity as may be fixed by the court or as may be
876 established by a schedule adopted by rule of the judges of the superior
877 court.

878 (e) The court shall not reduce, extend or vacate the stay of execution
879 ordered pursuant to subdivision (3) of subsection (c) of this section.

880 Sec. 32. (NEW) (*Effective October 1, 2004*) (a) The Insurance
881 Department shall provide to the Judicial Branch, the Department of
882 Public Safety, the Department of Administrative Services and the
883 Attorney General (1) the name of each insurer licensed to underwrite
884 surety bonds and transact bail bond business in this state, (2) the street
885 address of the principal office of such insurer, and (3) the five-digit
886 identification code assigned to such insurer by the National
887 Association of Insurance Commissioners.

888 (b) Each power of attorney form provided by an insurer to a surety
889 bail bondsman shall contain, preprinted on such form, the name of the
890 insurer, the street address of the principal office of such insurer, and
891 the five-digit identification code assigned to such insurer by the
892 National Association of Insurance Commissioners.

893 (c) Each insurer licensed to underwrite surety bonds and transact
894 bail bond business in this state shall prenumber the power of attorney
895 forms it provides to surety bail bondsmen or otherwise implement a
896 process as may be prescribed by the Insurance Department to uniquely

897 identify each such form.

898 Sec. 33. Section 51-279b of the general statutes is repealed and the
899 following is substituted in lieu thereof (*Effective October 1, 2004*):

900 [(a)] The Chief State's Attorney shall establish a racketeering and
901 continuing criminal activities unit within the Division of Criminal
902 Justice. Such unit shall be available for the investigation and
903 prosecution of criminal matters including, but not limited to, the illegal
904 purchase and sale of controlled substances, criminal activity by gangs,
905 fraud, corruption, illegal gambling and the recruitment of persons to
906 carry out such illegal activities.

907 [(b)] The Chief State's Attorney shall establish a bond forfeiture unit
908 within the Division of Criminal Justice. Such unit shall be responsible
909 for the collection, in the name of the state, and by suit when necessary,
910 of all forfeited bonds payable to the state. Such unit may compromise
911 and settle forfeited bonds for less than the amount thereof without
912 regard to the expiration of any stay of forfeiture.

913 [(c)] The Chief State's Attorney shall develop uniform standards for
914 the compromise and settlement of forfeited bonds. Such standards
915 shall be applied on a state-wide basis.]

916 Sec. 34. Subsection (a) of section 4a-12 of the general statutes is
917 repealed and the following is substituted in lieu thereof (*Effective*
918 *October 1, 2004*):

919 (a) The Commissioner of Administrative Services shall be
920 responsible for the following: (1) Investigation, determination, billing
921 and collection of all charges for support of persons aided, cared for or
922 treated in a state humane institution, as defined in section 17b-222, and
923 enforcement of support obligations of the liable relatives of such
924 persons; (2) billing and collection of any money due to the state in
925 public assistance cases, and enforcement of support obligations of
926 liable relatives in such cases; (3) collection of benefits and maintenance

927 of trustee accounts therefor; (4) collection of all forfeited bail bonds
928 payable to the state and [(4)] (5) such collection services for other state
929 agencies and departments as shall be agreed to between said
930 commissioner and the heads of such other agencies and departments.

931 Sec. 35. (NEW) (*Effective October 1, 2004*) (a) Whenever a court orders
932 a bond forfeited, the Judicial Branch shall, in addition to the notice
933 required pursuant to subdivision (2) of subsection (a) of section 54-65a,
934 as amended by this act, provide notice of such forfeiture and such
935 information as deemed necessary for the collection of such forfeited
936 bond to the Department of Administrative Services.

937 (b) During the fifth month of the six-month stay of execution
938 ordered pursuant to subdivision (3) of subsection (a) of section 54-65a
939 of the general statutes, as amended by this act, the department shall
940 send a written notice to the surety informing such surety that payment
941 of the forfeited bond is due upon the expiration of such stay. Such
942 notice shall contain information on the applicable payment schedule
943 including information on any discounts or rebates that may be
944 available.

945 (c) The total amount of a bond that has been ordered forfeited shall
946 be paid not later than thirty days after the expiration of the six-month
947 stay of execution, except that if such bond is paid not later than ten
948 days after such expiration, ninety per cent of the amount of such bond
949 shall be paid.

950 (d) A forfeited bond that is not paid prior to thirty days after the
951 expiration of the six-month stay of execution shall accrue interest at the
952 rate of one per cent per month or any portion thereof.

953 (e) All payments of forfeited bonds shall be made to the Department
954 of Administrative Services.

955 (f) The Department of Administrative Services shall refer the
956 collection of any forfeited bond that is not paid prior to thirty days

957 after the expiration of the six-month stay of execution to the Attorney
958 General .

959 (g) Funds collected as forfeited bonds shall be allocated as follows:
960 Ten per cent shall be allocated to the Department of Administrative
961 Services for the purposes of the collection of forfeited bail bonds; ten
962 per cent shall be allocated to the Department of Public Safety for
963 purposes of the licensing professional bondsmen and surety bail
964 bondsmen and regulating the commercial bail bond industry; thirty
965 per cent shall be allocated to Department of Public Safety for purposes
966 of expanding the fugitive recovery unit; and fifty per cent shall be
967 allocated to the general fund.

968 Sec. 36. (NEW) (*Effective October 1, 2004*) A court may release a
969 professional bondsman, surety bail bondsman or insurer from the
970 obligation to pay a forfeited bond if the accused person is detained in
971 another state and this state declines to seek the extradition of such
972 person.

973 Sec. 37. (NEW) (*Effective October 1, 2004*) No court may vacate a
974 forfeiture order and reinstate a forfeited bond after five business days
975 of the date the bond was ordered forfeited unless the professional
976 bondsman, surety bail bondsman or insurer who executed the forfeited
977 bond agrees to remain the surety on the reinstated bond.

978 Sec. 38. (NEW) (*Effective October 1, 2004*) (a) The Department of
979 Public Safety shall immediately suspend the licenses of an insurer and
980 a surety bail bondsman or the license of a professional bondsman who
981 fails to pay a forfeited bail bond not later than thirty days after the
982 expiration of the six-month stay of execution. Such suspension shall
983 remain in effect until the total amount of the forfeited bond is paid.
984 During such period of suspension, such insurer shall not underwrite
985 any surety bail bond in this state and such surety bail bondsman shall
986 not post any bail bond in this state, or such professional bondsman
987 shall not post any bail bond in this state, as the case may be.

988 (b) If a professional bondsman or insurer whose license is
989 suspended pursuant to subsection (a) of this section fails to pay such
990 forfeited bail bond within six months from the date of such
991 suspension, the Department of Public Safety shall revoke such license.

992 Sec. 39. (NEW) (*Effective October 1, 2004*) The Department of Public
993 Safety shall revoke the license of a surety bail bondsman if it
994 determines that such bondsman has engaged in a pattern of
995 misconduct that has contributed to the failure of an insurer to pay a
996 forfeited bail bond.

997 Sec. 40. (NEW) (*Effective October 1, 2004*) The Judicial Branch,
998 Department of Public Safety, Insurance Department, Department of
999 Administrative Services and Attorney General shall develop and
1000 implement a process to provide timely notification and accurate
1001 information to facilitate the collection of forfeited bail bonds and the
1002 suspension of the licenses of professional bail bondsmen and surety
1003 bail bondsmen who have failed to pay such forfeited bail bond.

1004 Sec. 41. (NEW) (*Effective October 1, 2004*) No person may file an
1005 appeal of an order of a court forfeiting a bond unless such person (1)
1006 places in escrow with the court the total amount of the forfeited bond
1007 or pays such amount under protest with a reservation of appellate
1008 rights, or (2) posts with the court a supersedeas bond from an insurer
1009 authorized to transact surety business in this state in the amount of
1010 one hundred fifty per cent of the amount of the forfeited bond for
1011 purposes of guaranteeing payment of any judgment, interest, fees or
1012 costs that may be awarded by the court.

1013 Sec. 42. (NEW) (*Effective October 1, 2004*) Any funds held by an
1014 insurer in a fiduciary capacity on behalf of a surety bail bondsman for
1015 purposes of indemnifying the insurer for losses and costs associated
1016 with surety bonds executed by such bondsman shall be deposited and
1017 maintained in a Connecticut bank or federal bank, as those terms are
1018 defined in section 36a-1 of the general statutes.

1019 Sec. 43. (NEW) (*Effective October 1, 2004*) (a) Whenever a rearrest
1020 warrant is issued by a court for the commission by a person of a
1021 felony, state and local law enforcement agencies shall, within five days
1022 of receipt of the warrant, enter the warrant information into the
1023 Connecticut on-line law enforcement communications teleprocessing
1024 system and, if extradition of such person is sought by a state's attorney,
1025 into the computerized index of criminal justice information maintained
1026 by the National Crime Information Center.

1027 (b) State and local law enforcement agencies shall develop protocols
1028 for determining whether rearrest warrants issued for the commission
1029 of misdemeanors are entered into the Connecticut on-line law
1030 enforcement communications teleprocessing system.

1031 Sec. 44. (NEW) (*Effective October 1, 2004*) A court shall vacate an
1032 order forfeiting a bond and release the surety if (1) the principal is
1033 incarcerated in another state, territory or country for a period in excess
1034 of the six-month stay of execution ordered pursuant to section 54-65a
1035 or 54-66 of the general statutes, (2) the professional bondsman, the
1036 surety bail bondsman or the insurer provides proof of such
1037 incarceration to the court and the state's attorney prosecuting the case,
1038 and (3) the state's attorney prosecuting the case declines to seek
1039 extradition of the principal.

1040 Sec. 45. (NEW) (*Effective October 1, 2004*) The Judicial Branch shall
1041 notify the Department of Administrative Services whenever a court
1042 vacates an order forfeiting a bond.

1043 Sec. 46. (NEW) (*Effective October 1, 2004*) The Chief State's Attorney
1044 may contract with a private prisoner transportation company for the
1045 transportation to and from this state of persons who have been
1046 apprehended after failing to appear in court or escaping from custody.

1047 Sec. 47. (NEW) (*Effective October 1, 2004*) The provisions of the
1048 general statutes requiring a permit to carry or possess a firearm and
1049 prohibiting the carrying, transportation and possession of firearms or

1050 other dangerous weapons shall not apply to any person, firm or
1051 corporation, and any employee of such person, firm or corporation,
1052 while engaged in this state in the business of transporting prisoners,
1053 provided the policies of such person, firm or corporation (1) meet the
1054 minimum standards established pursuant to the Interstate
1055 Transportation of Dangerous Criminals Act, and (2) are approved by
1056 the Department of Public Safety.

1057 Sec. 48. (NEW) (*Effective October 1, 2004*) The Division of State Police
1058 within the Department of Public Safety shall expand the fugitive
1059 recovery unit and make the location and apprehension of bail fugitives
1060 a priority.

1061 Sec. 49. Section 29-152e of the general statutes is repealed and the
1062 following is substituted in lieu thereof (*Effective October 1, 2004*):

1063 No person shall, as a surety on a bond in a criminal proceeding or
1064 an agent of such surety, engage in the business of taking or attempting
1065 to take into custody or otherwise locating, transporting or arranging
1066 the surrender or apprehension of the principal on the bond who has
1067 failed to appear in court and for whom a rearrest warrant or a capias
1068 has been issued pursuant to section 54-65a, as amended, unless such
1069 person is licensed as a professional bondsman or surety bail bondsman
1070 under chapter 533 [, a surety bail bond agent under chapter 700f] or a
1071 bail enforcement agent under sections 29-152f to 29-152i, inclusive, as
1072 amended by this act.

1073 Sec. 50. Section 29-152f of the general statutes is repealed and the
1074 following is substituted in lieu thereof (*Effective October 1, 2004*):

1075 (a) Any person desiring to engage in the business of a bail
1076 enforcement agent shall apply to the Commissioner of Public Safety for
1077 a license therefor. [Such application shall set forth under oath the full
1078 name, age, date and place of birth, residence and occupation of the
1079 applicant. It shall also set forth under oath a statement of whether the
1080 applicant has been charged with or convicted of crime, and such other

1081 information, including fingerprints and photographs, as required by
1082 the commissioner. The commissioner shall require the applicant to
1083 submit to state and national criminal history records checks. The
1084 criminal history records checks required pursuant to this section shall
1085 be conducted in accordance with section 29-17a. Within five years
1086 prior to the date of application, the applicant shall have successfully
1087 completed a course in the criminal justice system consisting of not less
1088 than twenty hours of study approved by the commissioner. No person
1089 who has been convicted of a felony or any misdemeanor under section
1090 21a-279, 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-173, 53a-
1091 175, 53a-176, 53a-178 or 53a-181d, shall be licensed to do business as a
1092 bail enforcement agent in this state. No person engaged in law
1093 enforcement or vested with police powers shall be licensed to do
1094 business as a bail enforcement agent.]

1095 (b) Each application shall be signed by the applicant and shall be
1096 accompanied by a nonrefundable filing fee of two hundred fifty
1097 dollars. The applicant shall submit with the application a complete set
1098 of the applicant's fingerprints, certified by an authorized law
1099 enforcement officer, a photograph of the applicant, four letters of
1100 reference, an employment history for the preceding five years and
1101 such other information as the commissioner may prescribe.

1102 (c) Each applicant for a bail enforcement agent license shall:

1103 (1) Be at least twenty-five years of age;

1104 (2) Be a legal resident of the United States;

1105 (3) Have received a high school diploma or its equivalent;

1106 (4) Be honorably discharged from, or released under honorable
1107 conditions from active service or reserve status in, the armed forces of
1108 the United States, if such applicant had been a member of the armed
1109 forces of the United States,

1110 (5) Have not been convicted of a felony;

1111 (6) Have not been convicted of a violation of section 21a-279, 53a-58,
1112 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-173, 53a-175, 53a-176, 53a-
1113 178 or 53a-181d, or any offense involving truth, veracity or moral
1114 fitness, or any offense in any other state the essential elements of which
1115 are substantially the same as said section or such offense; and

1116 (7) Not be employed as a law enforcement official or vested with
1117 any police powers.

1118 Sec. 51. Section 29-152g of the general statutes is repealed and the
1119 following is substituted in lieu thereof (*Effective October 1, 2004*):

1120 [Upon being satisfied, after investigation, that the applicant is a
1121 suitable person to receive a license as a bail enforcement agent, and
1122 that the applicant meets the licensing requirements of section 29-152f,
1123 the Commissioner of Public Safety may issue a license to such
1124 applicant to do business in this state as a bail enforcement agent. The
1125 fee for such license shall be one hundred dollars. Each such license
1126 shall be for such term not exceeding one year as said commissioner
1127 determines. Any bail enforcement agent holding a license issued
1128 pursuant to this section or section 29-152h shall notify the
1129 commissioner within two business days of any change of address. The
1130 notification shall include the bail enforcement agent's old address and
1131 new address.]

1132 (a) The commissioner shall, upon receipt of such application, cause
1133 a background investigation to be made of the applicant. The
1134 commissioner shall require the applicant to submit to state and
1135 national criminal history records checks. The criminal history records
1136 checks shall be conducted in accordance with section 29-17a. The
1137 commissioner shall interview the applicant.

1138 (b) The commissioner may issue a bail enforcement agent license to
1139 a person if the commissioner finds that the applicant:

1140 (1) Has met the requirements of section 29-152f, as amended by this

1141 act;

1142 (2) Has successfully completed within the five years next preceding
1143 the date of the application a twenty-hour prelicensing course
1144 prescribed by the department and provided by the department or a
1145 private entity approved by the department;

1146 (3) Has taken and passed, with a minimum passing score of at least
1147 seventy per cent, an examination prescribed by the department to test
1148 the applicant's competency and qualifications in the area of the
1149 criminal justice system including the rearrest power, use of physical
1150 force and restraint and any other area deemed appropriate by the
1151 department; and

1152 (4) Is of good moral character.

1153 Sec. 52. (NEW) (*Effective October 1, 2004*) Prior to the issuance or
1154 renewal by the Commissioner of Public Safety of a license as a bail
1155 enforcement agent, any applicant or licensee shall provide to the
1156 department evidence of general liability insurance coverage in an
1157 amount of not less than three hundred thousand dollars to insure
1158 against liability for damages resulting from such agent's activities
1159 including, but not limited to, damages for false arrest, false
1160 imprisonment, libel and slander.

1161 Sec. 53. (NEW) (*Effective October 1, 2004*) A bail enforcement agent
1162 shall provide written notice to the Commissioner of Public Safety
1163 within two business days of any change of address. The notification
1164 shall include the agent's old address and new address.

1165 Sec. 54. Section 29-152h of the general statutes is repealed and the
1166 following is substituted in lieu thereof (*Effective October 1, 2004*):

1167 (a) Each person licensed as a bail enforcement agent under the
1168 provisions of sections 29-152f to 29-152i, inclusive, as amended by this
1169 act, may apply for a renewal of such license upon renewal application
1170 forms provided by the Commissioner of Public Safety and requiring

1171 the disclosure of such information as said commissioner requires in
1172 determining whether or not such agent's suitability to continue in such
1173 business has changed since the issuance of any prior license. The
1174 commissioner shall conduct a thorough investigation of each bail
1175 enforcement agent applying for license renewal. The fee for renewal of
1176 a bail enforcement agent's license shall be [one hundred] two hundred
1177 fifty dollars.

1178 (b) Each bail enforcement agent shall attend a biennial in-service
1179 training course consisting of not less than eight hours of instruction in
1180 subject areas related to such agent's profession as determined by the
1181 department. Such course shall be prescribed by the department and be
1182 provided by the department or a private entity approved by the
1183 department.

1184 Sec. 55. Section 29-152i of the general statutes is repealed and the
1185 following is substituted in lieu thereof (*Effective October 1, 2004*):

1186 (a) The Commissioner of Public Safety may suspend, revoke or
1187 refuse to renew the license of any bail enforcement agent, provided
1188 notice shall have been given to the licensee to appear before the
1189 commissioner to show cause why the license should not be suspended,
1190 revoked or refused renewal, upon a finding by the commissioner that:
1191 (1) The licensee has violated any of the terms or provisions of sections
1192 29-152e to 29-152m, inclusive, [or section 38a-660a] as amended by this
1193 act, or of this act or any of the regulations adopted under section
1194 29-152o; (2) the licensee has practiced fraud, deceit or
1195 misrepresentation; (3) the licensee has made a material misstatement in
1196 the application for issuance or renewal of such license; (4) the licensee
1197 has demonstrated incompetence or untrustworthiness in the conduct
1198 of the licensee's business; (5) the licensee has been convicted of a
1199 felony, a misdemeanor specified in subdivision (6) of subsection (c) of
1200 section 29-152f, as amended by this act; [or other crime affecting the
1201 licensee's honesty, integrity or moral fitness;] or (6) the licensee is
1202 unsuitable.

1203 (b) The suspension or revocation of, or the refusal to renew, any bail
1204 enforcement agent's license shall also [constitute the] result in the
1205 suspension or revocation of the bail enforcement agent's firearms
1206 permit issued pursuant to section 29-152m, as amended by this act,
1207 and any professional bail bondsman or surety bail bondsman license
1208 issued to such person pursuant to chapter 533. Any bail enforcement
1209 agent who fails to surrender such license within five days of
1210 notification in writing of the suspension or revocation of, or refusal to
1211 renew, such license shall be guilty of a class [C] B misdemeanor.

1212 (c) Any party aggrieved by an order of the commissioner under this
1213 section may appeal therefrom in accordance with the provisions of
1214 section 4-183, except venue for such appeal shall be in the judicial
1215 district of Hartford.

1216 Sec. 56. Section 29-152k of the general statutes is repealed and the
1217 following is substituted in lieu thereof (*Effective October 1, 2004*):

1218 (a) Prior to taking or attempting to take into custody the principal
1219 on a bond, a professional bondsman or surety bail bondsman licensed
1220 under chapter 533 [, a surety bail bond agent licensed under chapter
1221 700f] or a bail enforcement agent licensed under sections 29-152f to 29-
1222 152i, inclusive, as amended, shall, not more than six hours prior to
1223 such taking or attempt, notify the police department or resident state
1224 trooper for, or state police troop having jurisdiction over, the
1225 municipality in which the principal is believed to be located of such
1226 bondsman's or agent's intentions. Such bondsman or agent shall
1227 update such notice if such activities continue over an extended period
1228 of time or the location of the attempted apprehension changes.

1229 (b) The notice required under subsection (a) of this section shall
1230 include: (1) The name and license number of each professional
1231 bondsman, surety bail bondsman and bail enforcement agent to be
1232 present at the location of the apprehension and participate in such
1233 apprehension; (2) the name of the principal on the bond to be
1234 apprehended; (3) the address or location where the apprehension will

1235 be attempted; and (4) any other information deemed necessary by the
1236 Department of Public Safety or required by the local law enforcement
1237 agency to protect its police officers and the public.

1238 Sec. 57. (NEW) (*Effective October 1, 2004*) Whenever a professional
1239 bondsman, surety bail bondsman or bail enforcement agent takes into
1240 custody a principal on a bond, such bondsman or agent shall deliver
1241 such person to the court or to the state police or a law enforcement
1242 agency within five hours if such person was apprehended in this state
1243 or within twenty-four hours if such person was apprehended in
1244 another state.

1245 Sec. 58. (NEW) (*Effective October 1, 2004*) (a) Each professional
1246 bondsman, surety bail bondsman or bail enforcement agent shall
1247 complete a report, on a form furnished by the Commissioner of Public
1248 Safety, each time such bondsman or agent is involved in the
1249 apprehension of, or arranges the surrender of, a principal who has
1250 defaulted on a bond.

1251 (b) Such report shall include: (1) The name of the principal
1252 apprehended, (2) the date and time of the apprehension, (3) the
1253 location of the apprehension, (4) the name and license number of each
1254 professional bondsman, surety bail bondsman or bail enforcement
1255 agent present and participating in the apprehension, (5) the name and
1256 location of the police department or detention facility to which the
1257 principal was surrendered, (6) a brief description of the circumstances
1258 surrounding the apprehension including notice provided to the state
1259 police or the local law enforcement agency, any use of force by a
1260 bondsman or agent, and any physical injury sustained by any person
1261 during or in connection with the apprehension, and (7) any other
1262 information required by the commissioner.

1263 (c) Such report shall be maintained by each professional bondsman,
1264 surety bail bondsman and bail enforcement agent for a period of five
1265 years and shall be subject to inspection by law enforcement personnel
1266 for administrative and investigative purposes during normal business

1267 hours.

1268 Sec. 59. Section 29-152l of the general statutes is repealed and the
1269 following is substituted in lieu thereof (*Effective October 1, 2004*):

1270 No professional bondsman or surety bail bondsman licensed under
1271 chapter 533 [, surety bail bond agent licensed under chapter 700f] or
1272 bail enforcement agent licensed under sections 29-152f to 29-152i,
1273 inclusive, as amended by this act, shall wear, carry or display any
1274 uniform, badge, shield or other insignia or emblems that purport to
1275 indicate that such bondsman or agent is an employee, officer or agent
1276 of the state or any political subdivision of the state or of the federal
1277 government.

1278 Sec. 60. Section 29-152m of the general statutes is repealed and the
1279 following is substituted in lieu thereof (*Effective October 1, 2004*):

1280 (a) No professional bondsman or surety bail bondsman licensed
1281 under chapter 533 [, surety bail bond agent licensed under chapter
1282 700f] or bail enforcement agent licensed under sections 29-152f to
1283 29-152i, inclusive, as amended by this act, shall carry a pistol, revolver
1284 or other firearm while engaging in the business of a professional
1285 bondsman, surety bail [bond agent] bondsman or bail enforcement
1286 agent, as the case may be, or while traveling to or from such business
1287 unless such bondsman or agent obtains a special permit from the
1288 Commissioner of Public Safety in accordance with the provisions of
1289 subsection (b) of this section. The permit required under this section
1290 shall be in addition to the permit requirement imposed under section
1291 29-28.

1292 (b) The Commissioner of Public Safety may grant to any
1293 professional bondsman or surety bail bondsman licensed under
1294 chapter 533 [, surety bail bond agent licensed under chapter 700f] or
1295 bail enforcement agent licensed under sections 29-152f to 29-152i,
1296 inclusive, as amended by this act, a permit to carry a pistol or revolver
1297 or other firearm while engaging in the business of professional

1298 bondsman, surety bail [bond agent] bondsman or bail enforcement
1299 agent, as the case may be, or while traveling to or from such business,
1300 provided that such bondsman or agent has proven to the satisfaction of
1301 the commissioner that such bondsman or agent has successfully
1302 completed a course, approved by the commissioner, of training in the
1303 safety and use of firearms. The commissioner shall adopt regulations
1304 in accordance with the provisions of chapter 54 concerning the
1305 approval of schools, institutions or organizations offering such
1306 courses, requirements for instructors and the required number of
1307 hours and content of such courses.

1308 (c) Application for a permit issued pursuant to this section shall be
1309 made on forms provided by the commissioner and shall be
1310 accompanied by a thirty-one-dollar fee. Such permit shall have an
1311 expiration date that coincides with that of the state permit to carry a
1312 pistol or revolver issued pursuant to section 29-28. A permit issued
1313 pursuant to this section shall be renewable every five years with a
1314 renewal fee of thirty-one dollars. The commissioner shall send, by first
1315 class mail, a notice of expiration of the [bail enforcement agent]
1316 firearms permit issued pursuant to this section, together with a notice
1317 of expiration of the permit to carry a pistol or revolver issued pursuant
1318 to section 29-28, in one combined form. The commissioner shall send
1319 such combined notice to the holder of the permits not later than ninety
1320 days before the date of the expiration of both permits, and shall
1321 enclose a form for renewal of the permits. A [bail enforcement agent]
1322 firearms permit issued pursuant to this section shall be valid for a
1323 period of ninety days after the expiration date, except this provision
1324 shall not apply if the permit to carry a pistol or revolver has been
1325 revoked or revocation is pending pursuant to section 29-32, in which
1326 case the [bail enforcement agent] firearms permit issued pursuant to
1327 this section shall also be revoked.

1328 (d) Each professional bondsman, surety bail bondsman and bail
1329 enforcement agent issued a firearms permit pursuant to this section
1330 shall attend an annual firearms recertification course, approved by the

1331 commissioner, to demonstrate continued competency in the safety and
 1332 use of firearms. Proof of recertification shall be required at the time of
 1333 renewal of the firearms permit.

1334 Sec. 61. (NEW) (*Effective October 1, 2004*) All application or license
 1335 renewal fees received by the Commissioner of Public Safety pursuant
 1336 to sections 29-146, 29-147, 29-152f and 29-152h of the general statutes,
 1337 as amended by this act, shall be deposited into the General Fund and
 1338 credited to the Department of Public Safety for purposes of licensing
 1339 professional bondsmen and surety bail bondsmen and regulating the
 1340 commercial bail bond industry.

1341 Sec. 62. (*Effective October 1, 2004*) Not later than January 1, 2005, the
 1342 Judicial Branch shall revise the appearance bond form as necessary to
 1343 permit the recording of the information required by subsection (b) of
 1344 section 26 of this act.

1345 Sec. 63. (*Effective October 1, 2004*) Sections 38a-660, 38a-660a and 54-
 1346 64g of the general statutes are repealed.

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>
Sec. 2	<i>October 1, 2004</i>
Sec. 3	<i>October 1, 2004</i>
Sec. 4	<i>October 1, 2004</i>
Sec. 5	<i>October 1, 2004</i>
Sec. 6	<i>October 1, 2004</i>
Sec. 7	<i>October 1, 2004</i>
Sec. 8	<i>from passage</i>
Sec. 9	<i>from passage</i>
Sec. 10	<i>October 1, 2004</i>
Sec. 11	<i>October 1, 2004</i>
Sec. 12	<i>October 1, 2004</i>
Sec. 13	<i>October 1, 2004</i>
Sec. 14	<i>from passage</i>
Sec. 15	<i>October 1, 2004</i>
Sec. 16	<i>October 1, 2004</i>

Sec. 17	<i>October 1, 2004</i>
Sec. 18	<i>October 1, 2004</i>
Sec. 19	<i>October 1, 2004</i>
Sec. 20	<i>October 1, 2004</i>
Sec. 21	<i>October 1, 2004</i>
Sec. 22	<i>October 1, 2004</i>
Sec. 23	<i>October 1, 2004</i>
Sec. 24	<i>October 1, 2004</i>
Sec. 25	<i>October 1, 2004</i>
Sec. 26	<i>October 1, 2004</i>
Sec. 27	<i>October 1, 2004</i>
Sec. 28	<i>October 1, 2004</i>
Sec. 29	<i>October 1, 2004</i>
Sec. 30	<i>October 1, 2004</i>
Sec. 31	<i>October 1, 2004</i>
Sec. 32	<i>October 1, 2004</i>
Sec. 33	<i>October 1, 2004</i>
Sec. 34	<i>October 1, 2004</i>
Sec. 35	<i>October 1, 2004</i>
Sec. 36	<i>October 1, 2004</i>
Sec. 37	<i>October 1, 2004</i>
Sec. 38	<i>October 1, 2004</i>
Sec. 39	<i>October 1, 2004</i>
Sec. 40	<i>October 1, 2004</i>
Sec. 41	<i>October 1, 2004</i>
Sec. 42	<i>October 1, 2004</i>
Sec. 43	<i>October 1, 2004</i>
Sec. 44	<i>October 1, 2004</i>
Sec. 45	<i>October 1, 2004</i>
Sec. 46	<i>October 1, 2004</i>
Sec. 47	<i>October 1, 2004</i>
Sec. 48	<i>October 1, 2004</i>
Sec. 49	<i>October 1, 2004</i>
Sec. 50	<i>October 1, 2004</i>
Sec. 51	<i>October 1, 2004</i>
Sec. 52	<i>October 1, 2004</i>
Sec. 53	<i>October 1, 2004</i>
Sec. 54	<i>October 1, 2004</i>
Sec. 55	<i>October 1, 2004</i>
Sec. 56	<i>October 1, 2004</i>

Sec. 57	<i>October 1, 2004</i>
Sec. 58	<i>October 1, 2004</i>
Sec. 59	<i>October 1, 2004</i>
Sec. 60	<i>October 1, 2004</i>
Sec. 61	<i>October 1, 2004</i>
Sec. 62	<i>October 1, 2004</i>
Sec. 63	<i>October 1, 2004</i>

Statement of Purpose:

To adopt the recommendations of the Program Review and Investigations Committee concerning bail services.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]