



General Assembly

February Session, 2008

Raised Bill No. 5835

LCO No. 2813

02813_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING THE REGULATION OF BAIL BONDSMEN.

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

1 Section 1. (NEW) (*Effective October 1, 2008*) (a) A surety bail
2 bondsman shall remit to the insurer the full amount of the filed rate
3 due on behalf of a defendant pursuant to section 29-151 of the general
4 statutes, as amended by this act, for a bail bond solicited, negotiated or
5 executed on behalf of such insurer not later than fourteen business
6 days after the execution of such bond, notwithstanding that the full
7 amount of the filed rate may not yet have been collected from the
8 defendant. Such bondsman shall have no right to compensation other
9 than reimbursement of costs and commissions, which shall be paid
10 directly to the bondsman by the insurer, for or on account of the
11 solicitation, negotiation or execution of an undertaking of bail or bail
12 bonds.

13 (b) Each insurer shall, not later than the tenth day of each month,
14 notify the Insurance Commissioner of any failure of a surety bail
15 bondsman to remit to the insurer the full amount of the filed rate due.
16 Such notice shall include the name of the surety bail bondsman, the
17 case docket number if assigned, the total amount of the surety bond,

18 the date the surety bond was posted, the five-digit identification code
19 assigned to such insurer by the National Association of Insurance
20 Commissioners and the date the filed rate was due. Any such insurer
21 that fails to comply with the provisions of this subsection shall be
22 subject to the penalties specified in subsection (c) of section 38a-41 of
23 the general statutes.

24 Sec. 2. Section 38a-660 of the general statutes is repealed and the
25 following is substituted in lieu thereof (*Effective October 1, 2008*):

26 (a) As used in this section:

27 (1) "Commissioner" means the Insurance Commissioner;

28 (2) "Insurer" means any domestic, foreign or alien insurance
29 company which has qualified generally to transact surety business in
30 this state under the requirements of chapter 698 and specifically to
31 transact bail bond business in this state. [;]

32 [(3) "Surety bail bond agent" means any person who has been
33 approved by the commissioner and appointed by an insurer by power
34 of attorney to execute or countersign bail bonds for the insurer in
35 connection with judicial proceedings;

36 (4) "License" means a surety bail bond agent license issued by the
37 commissioner to a qualified individual as provided in this section;

38 (5) "Solicit" includes any written or printed presentation or
39 advertising made by mail or other publication, or any oral presentation
40 or advertising in person or by means of telephone, radio or television
41 which implies that an individual is licensed under this section, and any
42 activity in arranging for bail which results in compensation to the
43 individual conducting that activity;

44 (6) "Disqualifying offense" means: (A) A felony; or (B) a
45 misdemeanor if an element of the offense involves dishonesty or
46 misappropriation of money or property.]

47 (b) An insurer shall not execute an undertaking of bail in this state
48 except by and through a person holding a license [issued as provided
49 in this section] as a surety bail bondsman issued in accordance with
50 chapter 533.

51 [(c) A person shall not in this state solicit or negotiate in respect to
52 execution or delivery of an undertaking of bail or bail bond on behalf
53 of an insurer, or execute or deliver such an undertaking of bail or bail
54 bond on behalf of an insurer unless licensed as provided in this
55 section. Any person who violates the provisions of this subsection shall
56 be guilty of a class D felony.

57 (d) Only natural persons who are licensed under this section may
58 execute bail bonds. A firm, partnership, association or corporation,
59 desiring to execute an undertaking of bail in this state must do so by
60 and through a person holding a license issued as provided in this
61 section.

62 (e) Any person desiring to act within this state as a surety bail bond
63 agent shall make a written application to the commissioner for a
64 license in such form and having such supporting documents as the
65 commissioner prescribes. Each application shall be signed by the
66 applicant and shall be accompanied by a nonrefundable filing fee as
67 determined by the commissioner. The applicant must also submit with
68 the application a complete set of the applicant's fingerprints, certified
69 by an authorized law enforcement officer, and two recent credential-
70 sized full-face photographs of the applicant. At the time of application,
71 each applicant for a license shall forward a copy of the applicant's
72 complete application and supporting documents to the bond forfeiture
73 unit of the Office of the Chief State's Attorney.

74 (f) Every applicant for a license must file with the commissioner a
75 notice of appointment executed by an insurer or its authorized
76 representative authorizing such applicant to execute undertakings of
77 bail and to solicit and negotiate such undertakings on its behalf. Each
78 appointment shall, by its terms, continue in force until: (1) Termination

79 of the surety bail bond agent's license; or (2) the filing of a notice of
80 termination by the insurer or its representative or by such surety bail
81 bond agent.

82 (g) An applicant for a license shall be required to appear in person
83 and take a written examination testing the applicant's competency and
84 qualifications to act as a surety bail bond agent. The commissioner
85 may designate an independent testing service to prepare and
86 administer such examination, provided any examination fees charged
87 by such service shall be paid by the applicant. The commissioner shall
88 collect the appropriate examination fee, which shall entitle the
89 applicant to take the examination for the license, except when a testing
90 service is used, the testing service shall pay such fee to the
91 commissioner. In either case, such examination shall be as the
92 commissioner prescribes and shall be of sufficient scope to test the
93 applicant's knowledge of subjects pertinent to the duties and
94 responsibilities of a surety bail bond agent, including all laws and
95 regulations of this state applicable thereto.

96 (h) In addition to all other requirements prescribed in this section,
97 each applicant for a license shall furnish satisfactory evidence to the
98 commissioner that: (1) The applicant is at least eighteen years of age;
99 (2) the applicant is a citizen of the United States; and (3) the applicant
100 has never been convicted of a felony or any misdemeanor under
101 section 21a-279, 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-173,
102 53a-175, 53a-176, 53a-178 or 53a-181d. The commissioner shall require
103 each applicant to submit to a background investigation, including an
104 investigation of any prior criminal activity, to be conducted by the
105 Division of Criminal Justice. The Division of Criminal Justice shall
106 require each applicant to submit to state and national criminal history
107 records checks. Such criminal history records checks shall be
108 conducted in accordance with section 29-17a.

109 (i) Upon satisfying himself that an applicant meets the licensing
110 requirements of this state and is in all respects properly qualified and

111 trustworthy and that the granting of such license is not against the
112 public interest, the commissioner may issue to such applicant the
113 license applied for, in such form as he may adopt, to act within this
114 state to the extent therein specified.

115 (j) The commissioner may adopt regulations in accordance with the
116 provisions of chapter 54 relating to the approval of schools offering
117 courses in the duties and responsibilities of surety bail bond agents,
118 the content of such courses and the advertising to the public of the
119 services of these schools.

120 (k) To further the enforcement of this section and to determine the
121 eligibility of any licensee, the commissioner may, as often as he deems
122 necessary, examine the books and records of any such licensee.

123 (l) A license may, in the discretion of the commissioner, be renewed
124 or continued upon payment of the appropriate fee as the commissioner
125 deems necessary without the resubmittal of the detailed information
126 required in the original application.

127 (m) The commissioner shall adopt regulations in accordance with
128 the provisions of chapter 54 to implement subsections (a) to (l),
129 inclusive, of this section.

130 (n) Any individual aggrieved by the action of the commissioner in
131 revoking, suspending or refusing to reissue a license or in imposing a
132 fine or penalty may appeal therefrom, in accordance with the
133 provisions of section 4-183, except venue for such appeal shall be in the
134 judicial district of Hartford. Appeals under this section shall be
135 privileged in respect to the order of trial assignment.

136 (o) Nothing in this section shall be construed as limiting an
137 individual's ability to operate as a professional bondsman in this state
138 pursuant to chapter 533 provided such individual is in compliance
139 with all requirements of said chapter.]

140 (c) The commissioner shall suspend the authority to write bail

141 bonds of any insurer when the commissioner finds that such insurer
142 has failed to pay a forfeited bond. Such authority shall remain so
143 suspended and shall not be reinstated nor shall any such authority be
144 granted to such insurer until such insurer pays such forfeited bond.
145 During such period of suspension, such insurer shall not underwrite
146 any surety bail bond in this state. The commissioner may revoke the
147 authority of an insurer to write bail bonds when the commissioner
148 finds a pattern of suspensions for failure to pay a forfeited bond. If an
149 insurer fails to pay such forfeited bond within six months from the
150 date of such suspension, the commissioner shall revoke such authority
151 to write bail bonds.

152 Sec. 3. (NEW) (*Effective July 1, 2008*) (a) The licensing and regulatory
153 authority for surety bail bond agents is transferred from the Insurance
154 Department to the Department of Public Safety, effective October 1,
155 2008. The Insurance Department shall retain licensing and regulatory
156 authority of insurers, as defined in section 38a-660 of the general
157 statutes, as amended by this act.

158 (b) Any person holding a valid license as a surety bail bond agent
159 on October 1, 2008, issued pursuant to chapter 700f of the general
160 statutes, shall be deemed to hold a valid license as a surety bail
161 bondsman on and after said date issued pursuant to chapter 533 of the
162 general statutes and shall be subject to the provisions of chapter 533 of
163 the general statutes and sections 8 to 10, inclusive, 17, 19, 20, 28 and 32
164 of this act. Such license shall expire on February 1, 2009, or at such later
165 date as the Commissioner of Public Safety may specify, but in no event
166 later than February 1, 2010, and any person who desires to renew such
167 license shall make application to the commissioner as provided in
168 section 29-147 of the general statutes, as amended by this act.

169 (c) The Insurance Department and the Department of Public Safety
170 shall submit estimated, current annual expenditure requirements of
171 their respective agencies for the licensing and regulation of surety bail
172 bond agents to the Office of Policy and Management not later than

173 August 1, 2008. During the fiscal year ending June 30, 2009, the Office
174 of Policy and Management shall monitor the implementation of the
175 transfer of licensing and regulatory authority pursuant to this section
176 and shall transfer sufficient funds from the appropriation to the
177 Insurance Department to the appropriation to the Department of
178 Public Safety for such purpose, provided the funds so transferred shall
179 not exceed the amount expended by the Insurance Department for the
180 purpose of regulating surety bail bond agents during the fiscal year
181 ending June 30, 2008.

182 Sec. 4. (NEW) (*Effective July 1, 2008*) The Commissioner of Public
183 Safety shall not issue a new license as a professional bondsman under
184 chapter 533 of the general statutes on or after October 1, 2008. Any
185 application for a license as a professional bondsman that has been filed
186 with the commissioner and is pending on October 1, 2008, shall be
187 void. Any license as a professional bondsman issued prior to October
188 1, 2008, may be renewed in accordance with section 29-147 of the
189 general statutes, as amended by this act, unless it lapses, is terminated
190 by the licensee or is revoked by the commissioner.

191 Sec. 5. Section 29-144 of the general statutes is repealed and the
192 following is substituted in lieu thereof (*Effective October 1, 2008*):

193 [Any person who makes a] No person shall engage in the business
194 of furnishing bail in criminal cases or [who furnishes] furnishing bail
195 in five or more criminal cases in any one year, whether for
196 compensation or otherwise, [shall be deemed a professional bondsman
197 and shall be subject to the provisions of this chapter. Any resident
198 elector of the state of Connecticut who is of good moral character and
199 of sound financial responsibility may, upon obtaining a license
200 therefor in accordance with the provisions of this chapter, engage in
201 the business of professional bondsman within this state] unless such
202 person is licensed as a professional bondsman or surety bail bondsman
203 in accordance with the provisions of this chapter. No person shall
204 solicit or negotiate in respect to execution or delivery of an

205 undertaking of bail or bail bond on behalf of an insurer, or execute or
206 deliver such an undertaking of bail or bail bond on behalf of an
207 insurer, unless such person is licensed as a surety bail bondsman in
208 accordance with the provisions of this chapter.

209 Sec. 6. Section 29-145 of the general statutes is repealed and the
210 following is substituted in lieu thereof (*Effective October 1, 2008*):

211 (a) Any person desiring to engage in the business of a [professional
212 bondsman] surety bail bondsman shall apply to the Commissioner of
213 Public Safety for a license therefor. Such application shall [set forth
214 under oath the full name, age, residence and occupation of the
215 applicant, whether the applicant intends to engage in the business of a
216 professional bondsman individually or in partnership or association
217 with another or others, and, if so, the identity of each. It shall also set
218 forth under oath a statement of the assets and liabilities of the
219 applicant, and whether the applicant has been charged with or
220 convicted of crime, and such other information, including fingerprints
221 and photographs, as said commissioner from time to time may require.
222 The commissioner shall require the applicant to submit to state and
223 national criminal history records checks. The criminal history records
224 checks required pursuant to this section shall be conducted in
225 accordance with section 29-17a. No person who has been convicted of
226 a felony shall be licensed to do business as a professional bondsman in
227 this state. No person engaged in law enforcement or vested with police
228 powers shall be licensed to do business as a professional bondsman] be
229 in such form as the commissioner may prescribe.

230 (b) Each application shall be signed by the applicant and shall be
231 accompanied by a nonrefundable filing fee of two hundred fifty
232 dollars. The applicant shall submit with the application a complete set
233 of the applicant's fingerprints, certified by an authorized law
234 enforcement officer, a photograph of the applicant, four letters of
235 reference, an employment history for the preceding five years and
236 such other information as the commissioner may prescribe.

237 (c) Each applicant for a license shall also file with the commissioner
238 a notice of appointment executed by an insurer or its authorized
239 representative authorizing such applicant to execute undertakings of
240 bail and to solicit and negotiate such undertakings on its behalf. Each
241 appointment shall, by its terms, continue in force until termination of
242 the surety bail bondsman's license, or the filing of a notice of
243 termination by the insurer or its representative or by such surety bail
244 bondsman.

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

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

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

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

249 (4) Be honorably discharged from, or released under honorable
250 conditions from active service or reserve status in, the armed forces of
251 the United States, if such applicant had been a member of the armed
252 forces of the United States;

253 (5) Have no pending bankruptcy proceeding or other civil litigation
254 that may affect the applicant's financial status; and

255 (6) Not be employed as a law enforcement official or vested with
256 any police powers.

257 Sec. 7. Section 29-146 of the general statutes is repealed and the
258 following is substituted in lieu thereof (*Effective October 1, 2008*):

259 [The Commissioner of Public Safety shall, upon receipt of such
260 application, cause an investigation to be made of the character and
261 financial responsibility of the applicant and, if he finds that such
262 applicant is a resident elector of good moral character and of sound
263 financial responsibility, he shall, upon payment by such applicant to
264 the state of a license fee of one hundred dollars, issue a license to such

265 applicant to do business in this state as a professional bondsman. Each
266 such license shall be for such term not exceeding one year as said
267 commissioner determines.]

268 (a) The Commissioner of Public Safety shall, upon receipt of such
269 application, cause a background investigation to be made of the
270 applicant. The commissioner shall require the applicant to submit to
271 state and national criminal history records checks. The criminal history
272 records checks shall be conducted in accordance with section 29-17a.
273 The commissioner shall interview the applicant.

274 (b) The commissioner may issue a surety bail bondsman license to a
275 person if the commissioner finds that the applicant:

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

278 (2) Has successfully completed within the two years next preceding
279 the date of the application a twenty-hour prelicensing course
280 prescribed by the department and provided by the department or a
281 private entity approved by the department provided, if such training is
282 provided by a private entity, the commissioner shall also approve the
283 curriculum of such course and the instructors;

284 (3) Has taken and passed an examination prescribed by the
285 commissioner to test the applicant's competency and qualifications in
286 the areas of bail bonds, general insurance regulations and unfair
287 practices, the criminal justice system including the rearrest power, use
288 of physical force and restraint and any other area deemed appropriate
289 by the commissioner;

290 (4) Is of good moral character; and

291 (5) Is of sound financial responsibility.

292 (c) A surety bail bondsman license issued pursuant to this section
293 shall be valid for one year and may be renewed pursuant to section 29-

294 147, as amended by this act.

295 Sec. 8. (NEW) (*Effective October 1, 2008*) Any person responsible for
296 the operation and management of a partnership, association,
297 corporation, company or other firm that is in the business of furnishing
298 bail in criminal cases or for the supervision of professional bondsmen
299 or surety bail bondsmen within such partnership, association,
300 corporation, company or other firm shall be licensed as a professional
301 bondsman or surety bail bondsman pursuant to chapter 533 of the
302 general statutes.

303 Sec. 9. (NEW) (*Effective October 1, 2008*) Any person licensed as a
304 professional bondsman or surety bail bondsman pursuant to chapter
305 533 of the general statutes shall furnish a cash performance bond in the
306 amount of ten thousand dollars to the Department of Public Safety.
307 The bond shall be in force during the term of such bondsman's license,
308 including any renewal thereof. The department shall return such bond
309 to the person who furnished such bond upon voluntary termination of
310 such license by the licensee or revocation of such license by the
311 department, except that the department may withhold from the
312 amount of such bond any unpaid civil penalty imposed upon such
313 licensee by the department.

314 Sec. 10. (NEW) (*Effective October 1, 2008*) A professional bondsman
315 or surety bail bondsman shall provide written notice to the
316 Commissioner of Public Safety within two business days of any change
317 of address. The notification shall include the bondsman's old address
318 and new address.

319 Sec. 11. Section 29-147 of the general statutes is repealed and the
320 following is substituted in lieu thereof (*Effective October 1, 2008*):

321 (a) Each professional bondsman and surety bail bondsman licensed
322 under the provisions of this chapter may apply for a renewal of [his]
323 such bondsman's license upon renewal application forms provided by
324 the Commissioner of Public Safety and requiring the disclosure of such

325 information as said commissioner [requires] may prescribe in
326 determining whether or not [such professional bondsman's financial
327 responsibility remains unimpaired or whether for any other reason]
328 such bondsman's fitness to continue in such business has been
329 [otherwise] altered since the issuance of any prior license. With respect
330 to the renewal of a professional bondsman's license, such renewal
331 application form shall also require the disclosure of such information
332 as said commissioner may prescribe in determining whether such
333 bondsman's financial responsibility remains unimpaired since the
334 issuance of any prior license. The commissioner shall conduct a
335 thorough investigation of each bondsman applying for license
336 renewal. The fee for renewal of a license is two hundred fifty dollars.

337 (b) Each professional bondsman and surety bail bondsman shall
338 attend a biennial in-service training course consisting of not less than
339 eight hours of instruction in subject areas related to their profession as
340 determined by the commissioner. Such course shall be prescribed by
341 the commissioner and be provided by the department or a private
342 entity approved by the commissioner. If such training is provided by a
343 private entity, the commissioner shall also approve the curriculum of
344 such course and the instructors.

345 (c) Said commissioner may refuse to renew, suspend for a definite
346 term or revoke any license issued under the provisions of this chapter
347 [if it appears to said commissioner that such licensee has been
348 convicted of a felony in this state or elsewhere or is engaged in any
349 unlawful activity affecting his fitness to continue in the business of
350 professional bondsman or that his financial responsibility has been
351 substantially impaired] provided notice has been given to the licensee
352 to appear before the commissioner to show cause why the license
353 should not be refused renewal, suspended or revoked, upon a finding
354 by the commissioner that: (1) The licensee has violated any of the
355 provisions of this chapter or section 8, 9, 10, 17, 19, 20, 28 or 32 of this
356 act, (2) the licensee has practiced fraud, deceit or misrepresentation, (3)
357 the licensee has made a material misstatement in the application for

358 issuance or renewal of such license, (4) if the licensee is a professional
359 bondsman, the licensee has substantially impaired financial
360 responsibility, or (5) the licensee has demonstrated incompetence or
361 untrustworthiness in the conduct of the licensee's business.

362 (d) The suspension or revocation of, or the refusal to renew a license
363 of, a professional bondsman or surety bail bondsman under this
364 section shall also result in the suspension or revocation of any bail
365 enforcement agent license issued to such person pursuant to chapter
366 533a, any professional bondsman or surety bail bondsman license
367 issued to such person pursuant to chapter 533 and any firearm permit
368 issued to such person pursuant to section 29-152m, as amended by this
369 act. A professional bondsman or surety bail bondsman whose license
370 has been suspended or revoked or not renewed shall surrender such
371 license within five days of notification in writing of such suspension,
372 revocation or refusal to renew.

373 (e) The commissioner may, after notice and hearing in accordance
374 with the provisions of chapter 54, impose a civil penalty in an amount
375 not exceeding one thousand dollars on any licensee who violates any
376 provision of this chapter or section 8, 9, 10, 17, 19, 20, 28 or 32 of this
377 act.

378 (f) Any party aggrieved by an order of the commissioner under this
379 section may appeal therefrom in accordance with the provisions of
380 section 4-183, except venue for such appeal shall be in the judicial
381 district of Hartford.

382 Sec. 12. Section 29-147a of the general statutes is repealed and the
383 following is substituted in lieu thereof (*Effective October 1, 2008*):

384 (a) (1) The Commissioner of Public Safety [may] shall immediately
385 suspend any license issued under the provisions of this chapter of any
386 professional bondsman when [he] the commissioner finds that such
387 [surety] bondsman has failed to pay a forfeited bond within thirty days
388 after the expiration of the six-month stay of execution ordered

389 pursuant to subdivision (3) of subsection (a) of section 54-65a, as
390 amended by this act. Such license shall remain so suspended and shall
391 not be reinstated nor shall any such license be issued to such [surety]
392 bondsman until such person pays such forfeited bond. During such
393 period of suspension, such bondsman shall not post any bond in this
394 state.

395 (2) If a professional bondsman whose license is suspended pursuant
396 to this subsection fails to pay such forfeited bond within six months
397 from the date of such suspension, the commissioner shall revoke such
398 license.

399 (3) The commissioner may revoke any license issued under the
400 provisions of this chapter of any professional bondsman when the
401 commissioner finds a pattern of license suspensions for failure to pay a
402 forfeited bond.

403 (b) (1) The Commissioner of Public Safety shall immediately
404 suspend any license issued under the provisions of this chapter of any
405 surety bail bondsman when the commissioner finds that such
406 bondsman has engaged in misconduct that has contributed to the
407 failure of an insurer to pay a forfeited bond within thirty days after the
408 expiration of the six-month stay of execution ordered pursuant to
409 subdivision (3) of subsection (a) of section 54-65a, as amended by this
410 act. During such period of suspension, such surety bail bondsman
411 shall not post any bond in this state.

412 (2) The commissioner shall revoke the license of a surety bail
413 bondsman if the commissioner determines that such bondsman has
414 engaged in a pattern of misconduct that has contributed to the failure
415 of an insurer to pay a forfeited bond.

416 (c) If the Insurance Commissioner suspends the authority to write
417 bail bonds of an insurer pursuant to section 38a-660, as amended by
418 this act, for failure to pay a forfeited bond within thirty days after the
419 expiration of the six-month stay of execution ordered pursuant to

420 subdivision (3) of subsection (a) of section 54-65a, as amended by this
421 act, no surety bail bondsman shall post any surety bond as an agent of
422 such insurer during such period of suspension.

423 Sec. 13. Section 29-148 of the general statutes is repealed and the
424 following is substituted in lieu thereof (*Effective October 1, 2008*):

425 Each professional bondsman licensed under the provisions of this
426 chapter shall forthwith inform the Commissioner of Public Safety in
427 writing of any material change in [his] such bondsman's assets or
428 liabilities affecting [his] such bondsman's responsibility as a bondsman
429 and shall at any time, upon request of said commissioner, furnish
430 [him] the commissioner with a statement under oath of [his] such
431 bondsman's assets and liabilities, including all bonds on which such
432 bondsman is obligated.

433 Sec. 14. Section 29-149 of the general statutes is repealed and the
434 following is substituted in lieu thereof (*Effective October 1, 2008*):

435 The Commissioner of Public Safety shall furnish to all courts and to
436 all town, city and borough departments in the state, having authority
437 to accept bail, the names of all professional bondsmen and surety bail
438 bondsmen licensed under the provisions of this chapter and shall
439 forthwith notify such courts and all such town, city and borough
440 departments of any change in any such bondsman's status or of the
441 suspension or revocation of any bondsman's license to engage in such
442 business.

443 Sec. 15. Section 29-150 of the general statutes is repealed and the
444 following is substituted in lieu thereof (*Effective October 1, 2008*):

445 Each professional bondsman shall, when furnishing surety for
446 recognizances of any person charged with crime, take oath to the
447 sufficiency of [his] such bondsman's security upon a uniform form
448 furnished for such purpose by the clerk of the Superior Court and
449 approved by the Commissioner of Public Safety. No person who offers

450 himself or herself as surety on bail in any criminal case shall falsely
451 represent that [he] such person is the legal or equitable owner of any
452 stated property.

453 Sec. 16. Section 29-152 of the general statutes is repealed and the
454 following is substituted in lieu thereof (*Effective October 1, 2008*):

455 Any person who intentionally violates any provision of this chapter
456 or sections 8 to 10, inclusive, or section 17, 19 or 20 of this act shall be
457 fined not more than one thousand dollars or imprisoned not more than
458 two years or both and [his] such person's right to engage in the
459 business of a professional bondsman or surety bail bondsman in this
460 state shall thereupon be permanently forfeited.

461 Sec. 17. (NEW) (*Effective October 1, 2008*) (a) No professional
462 bondsman or surety bail bondsman licensed under chapter 533 of the
463 general statutes shall:

464 (1) Charge a fee or premium for posting a bond other than that
465 which is authorized by law;

466 (2) Directly or indirectly advertise or solicit business within one
467 thousand feet of any superior court location or any place where
468 arrested persons are confined as provided in regulations adopted by
469 the Department of Public Safety pursuant to subsection (b) of this
470 section;

471 (3) Offer a rebate of a fee or premium for posting a bail bond;

472 (4) Advertise discounted or reduced rates or use any business trade
473 name or style that directly or indirectly suggests lower or discounted
474 rates than those of another bondsman;

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

478 (6) Post a ten per cent cash bond or a cash only bond for an arrested
479 person for a fee;

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

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

484 (9) Employ or pay a fee to an officer of a law enforcement agency;

485 (10) Fail to maintain or submit for review or audit any business
486 records or documents required to be maintained pursuant to section 20
487 of this act;

488 (11) Take a principal on a bond into custody without proper
489 authorization; or

490 (12) Use a name or designation that implies any association with a
491 municipal, state or federal government agency or may tend to mislead
492 the public.

493 (b) The Department of Public Safety shall adopt regulations, in
494 accordance with chapter 54 of the general statutes, to prescribe
495 permissible and prohibited activities by professional bondsmen and
496 surety bail bondsmen with respect to advertising and the solicitation of
497 business in or around superior court locations and any location where
498 arrested persons are confined.

499 Sec. 18. Section 29-151 of the general statutes is repealed and the
500 following is substituted in lieu thereof (*Effective October 1, 2008*):

501 [No such] A professional bondsman or surety bail bondsman shall
502 charge [for his commission or fee more than fifty dollars for the
503 amount of bail furnished by him up to five hundred dollars, nor more
504 than ten per cent of the amount of bail furnished by him from five
505 hundred dollars up to five thousand dollars, nor more than seven per

506 cent of the amount of bail furnished by him on sums in excess of five
507 thousand dollars] a nonrefundable fee of ten per cent of the amount of
508 bail furnished by such bondsman on bail amounts of five hundred
509 dollars or more. When a professional bondsman or surety bail
510 bondsman has furnished bail to an accused in a criminal proceeding,
511 the fee which [he] such bondsman receives therefor shall be credited
512 on account of [his] such bondsman's fee for any subsequent bail in an
513 increased amount which [he] such bondsman may furnish for the same
514 person in the same criminal proceeding; but this provision shall not
515 apply to bail furnished on appeal of a conviction or bindover of an
516 accused. Each professional bondsman and surety bail bondsman
517 licensed under the provisions of this chapter shall annually, during the
518 month of January, on forms furnished by the Commissioner of Public
519 Safety, report to said commissioner in detail the names of the persons
520 for whom such bondsman has become surety during the year ended
521 December thirty-first preceding, with the date, the amount of bond
522 and the fee charged and paid and such further information as said
523 commissioner requires.

524 Sec. 19. (NEW) (*Effective October 1, 2008*) (a) Whenever a professional
525 bondsman or surety bail bondsman posts a surety bond on behalf of a
526 person charged with a crime, such bondsman shall provide a written
527 receipt to the principal or indemnitor on the bond that specifies: (1)
528 The principal's name, (2) the indemnitor's name, (3) the case docket
529 number, if assigned, (4) the total amount of the surety bond, (5) the
530 total amount of the nonrefundable fee paid by the principal or
531 indemnitor, (6) the total value of any collateral posted by the principal
532 or indemnitor, (7) the date the bond was posted, and (8) the date the
533 nonrefundable fee was received by the bondsman.

534 (b) Whenever a professional bondsman or surety bail bondsman
535 posts a surety bond on behalf of a person charged with a crime, such
536 bondsman shall record on the appearance bond filed with the court (1)
537 the amount of the nonrefundable fee paid to the bondsman by the
538 principal or indemnitor pursuant to section 29-151 of the general

539 statutes, as amended by this act, and (2) if the surety bond is
540 underwritten by an insurer, the five-digit identification code assigned
541 to such insurer by the National Association of Insurance
542 Commissioners.

543 Sec. 20. (NEW) (*Effective October 1, 2008*) (a) A professional
544 bondsman or surety bail bondsman shall maintain as part of such
545 bondsman's business records, for a period of at least five years, a copy
546 of all surety bonds executed by such bondsman and written receipts
547 provided by such bondsman.

548 (b) The Commissioner of Public Safety, the Insurance Commissioner
549 and the Attorney General, or their authorized representatives, may
550 examine, copy and audit, at reasonable times and in a reasonable
551 manner, the books, papers, records and accounts of a professional
552 bondsman or surety bail bondsman for the purpose of carrying out
553 their regulatory duties under chapter 533 of the general statutes.

554 Sec. 21. Subsection (c) of section 54-63c of the 2008 supplement to
555 the general statutes is repealed and the following is substituted in lieu
556 thereof (*Effective October 1, 2008*):

557 (c) When cash bail in excess of ten thousand dollars is received for a
558 detained person accused of a felony, where the underlying facts and
559 circumstances of the felony involve the use, attempted use or
560 threatened use of physical force against another person, the police
561 officer shall prepare a report that contains (1) the name, address and
562 taxpayer identification number of the accused person, (2) the name,
563 address and taxpayer identification number of each person offering the
564 cash bail, other than a person licensed as a professional bondsman or a
565 surety bail bondsman under chapter 533, [or a surety bail bond agent
566 under chapter 700f,] (3) the amount of cash received, and (4) the date
567 the cash was received. Not later than fifteen days after receipt of such
568 cash bail, the police officer shall file the report with the Department of
569 Revenue Services and mail a copy of the report to the state's attorney
570 for the judicial district in which the alleged offense was committed and

571 to each person offering the cash bail.

572 Sec. 22. Subsection (d) of section 54-63d of the general statutes is
573 repealed and the following is substituted in lieu thereof (*Effective*
574 *October 1, 2008*):

575 (d) The police department shall promptly comply with the order of
576 release of the bail commissioner, except that if the department objects
577 to the order or any of its conditions, the department shall promptly so
578 advise a state's attorney or assistant state's attorney, the bail
579 commissioner and the arrested person. The state's attorney or assistant
580 state's attorney may authorize the police department to delay release,
581 until a hearing can be had before the court then sitting for the
582 geographical area which includes the municipality in which the
583 arrested person is being detained or, if the court is not then sitting,
584 until the next sitting of said court. When cash bail in excess of ten
585 thousand dollars is received for a detained person accused of a felony,
586 where the underlying facts and circumstances of the felony involve the
587 use, attempted use or threatened use of physical force against another
588 person, the police department shall prepare a report that contains (1)
589 the name, address and taxpayer identification number of the accused
590 person, (2) the name, address and taxpayer identification number of
591 each person offering the cash bail, other than a person licensed as a
592 professional bondsman or a surety bail bondsman under chapter 533,
593 [or a surety bail bond agent under chapter 700f,] (3) the amount of cash
594 received, and (4) the date the cash was received. Not later than fifteen
595 days after receipt of such cash bail, the police department shall file the
596 report with the Department of Revenue Services and mail a copy of the
597 report to the state's attorney for the judicial district in which the
598 alleged offense was committed and to each person offering the cash
599 bail.

600 Sec. 23. Section 54-65a of the general statutes is repealed and the
601 following is substituted in lieu thereof (*Effective October 1, 2008*):

602 (a) Whenever an arrested person is released upon the execution of a

603 bond with surety in an amount of five hundred dollars or more and
604 such bond is ordered forfeited because the principal failed to appear in
605 court as conditioned in such bond, the court shall, at the time of
606 ordering the bond forfeited: (1) Issue a rearrest warrant or a capias
607 directing a proper officer to take the defendant into custody, (2)
608 provide written notice to the surety on the bond that the principal has
609 failed to appear in court as conditioned in such bond, except that if the
610 surety on the bond is an insurer, as defined in section 38a-660, as
611 amended by this act, the court shall provide such notice to such insurer
612 in accordance with subsection (b) of this section and not to the surety
613 bail [bond agent, as defined in section 38a-660] bondsman, and (3)
614 order a stay of execution upon the forfeiture for six months.

615 (b) The notice to an insurer that is required pursuant to subdivision
616 (2) of subsection (a) of this section shall be sent to the street address of
617 the principal office of such insurer as last shown on the records of the
618 Insurance Department and shall not be sent to any other person or any
619 other address. There shall be a presumption that a notice sent to an
620 insurer pursuant to this subsection and not returned to the sender was
621 received by the insurer.

622 (c) When the principal whose bond has been forfeited is returned to
623 custody pursuant to the rearrest warrant or a capias within six months
624 of the date such bond was ordered forfeited, the bond shall be
625 automatically terminated and the surety released and the court shall
626 order new conditions of release for the defendant in accordance with
627 section 54-64a, as amended by this act. When the principal whose bond
628 has been forfeited returns to court voluntarily within five business
629 days of the date such bond was ordered forfeited, the court may, in its
630 discretion, and after finding that the defendant's failure to appear was
631 not wilful, vacate the forfeiture order and reinstate the bond. Such stay
632 of execution shall not prevent the issuance of a rearrest warrant or a
633 capias.

634 [(b)] (d) Whenever an arrested person, whose bond has been

635 forfeited, is returned to the jurisdiction of the court within one year of
636 the date such bond was ordered forfeited, the surety on such bond
637 shall be entitled to a rebate of that portion of the forfeited amount as
638 may be fixed by the court or as may be established by a schedule
639 adopted by rule of the judges of the [court] Superior Court. The judges
640 of the Superior Court shall review such schedule and, if deemed
641 necessary, amend such schedule. Any surety or other person seeking a
642 rebate shall make application to the Attorney General.

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

645 Sec. 24. Section 54-66 of the general statutes is repealed and the
646 following is substituted in lieu thereof (*Effective October 1, 2008*):

647 (a) In any criminal case in which a bond is allowable or required
648 and the amount thereof has been determined, the accused person, or
649 any person in the accused person's behalf, (1) may deposit, with the
650 clerk of the court having jurisdiction of the offense with which the
651 accused stands charged or any assistant clerk of such court who is
652 bonded in the same manner as the clerk or any person or officer
653 authorized to accept bail, a sum of money equal to the amount called
654 for by such bond, or (2) may pledge real property, the equity of which
655 is equal to the amount called for by such bond, provided the person
656 pledging such property is the owner of such property, and such
657 accused person shall thereupon be admitted to bail. When cash bail is
658 offered, such bond shall be executed and the money shall be received
659 in lieu of a surety or sureties upon such bond. Such cash bail shall be
660 retained by the clerk of such court until a final order of the court
661 disposing of the same is passed; provided, if such bond is forfeited, the
662 clerk of such court shall pay the money to the payee named therein,
663 according to the terms and conditions of the bond. When cash bail in
664 excess of ten thousand dollars is received for a person accused of a
665 felony, where the underlying facts and circumstances of the felony
666 involve the use, attempted use or threatened use of physical force

667 against another person, the clerk of such court shall prepare a report
668 that contains (A) the name, address and taxpayer identification
669 number of the accused person, (B) the name, address and taxpayer
670 identification number of each person offering the cash bail, other than
671 a person licensed as a professional bondsman or a surety bail
672 bondsman under chapter 533, [or a surety bail bond agent under
673 chapter 700f,] (C) the amount of cash received, and (D) the date the
674 cash was received. Not later than fifteen days after receipt of such cash
675 bail, the clerk of such court shall file the report with the Department of
676 Revenue Services and mail a copy of the report to the state's attorney
677 for the judicial district in which the court is located and to each person
678 offering the cash bail.

679 (b) [When] Whenever real property is pledged, the pledge shall
680 constitute a lien on the real property upon the filing of a notice of lien
681 in the office of the town clerk of the town in which the property is
682 located. The lien shall be in an amount equal to the bond set by the
683 court. The notice of lien shall be on a form prescribed by the Office of
684 the Chief Court Administrator. Upon order of forfeiture of the
685 underlying bond, the state's attorney for the judicial district in which
686 the forfeiture is ordered shall refer the matter to the Attorney General
687 and the Attorney General may, on behalf of the state, foreclose such
688 lien in the same manner as a mortgage. The lien created by this
689 subsection shall expire six years after the forfeiture is ordered unless
690 the Attorney General commences an action to foreclose it within that
691 period of time and records a notice of lis pendens in evidence thereof
692 on the land records of the town in which the property is located. If the
693 bond has not been ordered forfeited, the clerk of the court shall
694 authorize the recording of a release of such lien upon final disposition
695 of the criminal matter or upon order of the court. The release shall be
696 on a form prescribed by the Office of the Chief Court Administrator.

697 (c) Whenever an accused person is released upon the deposit by a
698 person on behalf of the accused person of a sum of money equal to the
699 amount called for by such bond or upon the pledge by a person on

700 behalf of the accused person of real property, the equity of which is
701 equal to the amount called for by such bond, and such bond is ordered
702 forfeited because the accused person failed to appear in court as
703 conditioned in such bond, the court shall, at the time of ordering the
704 bond forfeited: (1) Issue a rearrest warrant or a capias directing a
705 proper officer to take the accused person into custody, (2) provide
706 written notice to the person who offered cash bail or pledged real
707 property on behalf of the accused person that the accused person has
708 failed to appear in court as conditioned in such bond, and (3) order a
709 stay of execution upon the forfeiture for six months. When the accused
710 person whose bond has been forfeited is returned to custody pursuant
711 to the rearrest warrant or a capias within six months of the date such
712 bond was ordered forfeited, the bond shall be automatically
713 terminated and the person who offered cash bail or pledged real
714 property on behalf of the accused person shall be released from such
715 obligation and the court shall order new conditions of release for the
716 accused person in accordance with section 54-64a, as amended by this
717 act. When the accused person whose bond has been forfeited returns to
718 court voluntarily within five business days of the date such bond was
719 ordered forfeited, the court may, in its discretion, and after finding that
720 the accused person's failure to appear was not wilful, vacate the
721 forfeiture order and reinstate the bond. Such stay of execution shall not
722 prevent the issuance of a rearrest warrant or a capias.

723 (d) Whenever an accused person, whose bond has been forfeited, is
724 returned to the jurisdiction of the court within one year of the date
725 such bond was ordered forfeited, the person who offered cash bail or
726 pledged real property shall be entitled to a rebate of that portion of the
727 forfeited amount or equity as may be fixed by the court or as may be
728 established by a schedule adopted by rule of the judges of the superior
729 court.

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

732 Sec. 25. (NEW) (*Effective October 1, 2008*) (a) The Insurance
733 Department shall provide to the Judicial Branch, the Department of
734 Public Safety and the Attorney General (1) the name of each insurer
735 licensed to underwrite surety bonds and transact bail bond business in
736 this state, (2) the street address of the principal office of such insurer,
737 and (3) the five-digit identification code assigned to such insurer by
738 the National Association of Insurance Commissioners.

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

744 (c) Each insurer licensed to underwrite surety bonds and transact
745 bail bond business in this state shall prenumber the power of attorney
746 forms it provides to surety bail bondsmen or otherwise implement a
747 process as may be prescribed by the Insurance Department to uniquely
748 identify each such form.

749 Sec. 26. (NEW) (*Effective October 1, 2008*) Upon the request of a
750 person licensed as a professional bondsman or surety bail bondsman
751 under chapter 533 of the general statutes or a bail enforcement agent
752 under sections 29-152f to 29-152i, inclusive, of the general statutes, as
753 amended by this act, the Judicial Branch shall verify whether a rearrest
754 warrant or capias issued pursuant to section 54-65a of the general
755 statutes, as amended by this act, is still outstanding.

756 Sec. 27. Section 51-279b of the general statutes is repealed and the
757 following is substituted in lieu thereof (*Effective October 1, 2008*):

758 [(a)] The Chief State's Attorney shall establish a racketeering and
759 continuing criminal activities unit within the Division of Criminal
760 Justice. Such unit shall be available for the investigation and
761 prosecution of criminal matters including, but not limited to, the illegal
762 purchase and sale of controlled substances, criminal activity by gangs,

763 fraud, corruption, illegal gambling and the recruitment of persons to
764 carry out such illegal activities.

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

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

774 Sec. 28. (NEW) (*Effective October 1, 2008*) (a) The Attorney General
775 shall be responsible for the collection, in the name of the state, of all
776 forfeited bail bonds payable to the state.

777 (b) Whenever a court orders a surety bond forfeited, the Judicial
778 Branch shall, in addition to the notice required pursuant to subdivision
779 (2) of subsection (a) of section 54-65a of the general statutes, as
780 amended by this act, provide notice of such forfeiture and such
781 information as deemed necessary for the collection of such forfeited
782 bond to the Attorney General.

783 (c) During the fifth month of the six-month stay of execution
784 ordered by the court pursuant to subdivision (3) of subsection (a) of
785 section 54-65a of the general statutes, as amended by this act, the
786 Attorney General shall send a written notice to the surety informing
787 such surety that payment of the forfeited bond is due upon the
788 expiration of such stay of execution. Such notice shall contain
789 information on the applicable payment schedule including information
790 on any discounts or rebates that may be available. There shall be a
791 presumption that a notice sent to a surety pursuant to this subsection
792 and not returned to the sender was received by the surety.

793 (d) The surety on a bond that has been ordered forfeited shall pay
794 the total amount of such bond within thirty days after the expiration of
795 the six-month stay of execution, except that if payment is made within
796 ten days after such expiration, such surety may pay ninety per cent of
797 the amount of such bond.

798 (e) A forfeited bond that is not paid within thirty days after the
799 expiration of the six-month stay of execution shall accrue interest at the
800 rate of one per cent per month or any portion thereof.

801 (f) All payments of forfeited bonds shall be made to the Office of the
802 Attorney General.

803 (g) Funds collected as forfeited bonds shall be allocated as follows:
804 Ten per cent shall be allocated to the Office of the Attorney General for
805 the purpose of the collection of forfeited bail bonds; forty per cent shall
806 be allocated to the Department of Public Safety for purposes of the
807 licensing of professional bondsmen and surety bail bondsmen,
808 regulating the commercial bail bond industry and expanding the
809 fugitive recovery unit; and fifty per cent shall be allocated to the
810 General Fund.

811 Sec. 29. (NEW) (*Effective October 1, 2008*) A court shall release a
812 professional bondsman, surety bail bondsman or insurer from the
813 obligation to pay a forfeited bond if the accused person is detained in
814 another state, a territory or possession of the United States, the District
815 of Columbia or a foreign jurisdiction and this state declines to seek the
816 extradition of such person.

817 Sec. 30. (NEW) (*Effective October 1, 2008*) No court may vacate a
818 forfeiture order and reinstate a forfeited bond after five business days
819 of the date the bond was ordered forfeited unless the professional
820 bondsman, surety bail bondsman or insurer who executed the forfeited
821 bond agrees to remain the surety on the reinstated bond.

822 Sec. 31. (NEW) (*Effective October 1, 2008*) The Judicial Branch,

823 Department of Public Safety, Insurance Department and Attorney
824 General shall develop and implement a process to provide timely
825 notification and accurate information to facilitate the collection of
826 forfeited bail bonds and the suspension of the licenses of professional
827 bondsmen, surety bail bondsmen and insurers who have failed to pay
828 such forfeited bail bonds.

829 Sec. 32. (NEW) (*Effective October 1, 2008*) No person may file an
830 appeal of an order of a court forfeiting a bond unless such person (1)
831 places in escrow with the court the total amount of the forfeited bond
832 or pays such amount under protest with a reservation of appellate
833 rights, or (2) posts with the court a supersedeas bond from an insurer
834 authorized to transact surety business in this state in the amount of
835 one hundred fifty per cent of the amount of the forfeited bond for
836 purposes of guaranteeing payment of any judgment, interest, fees or
837 costs that may be awarded by the court.

838 Sec. 33. (NEW) (*Effective October 1, 2008*) Any funds held by an
839 insurer in a fiduciary capacity on behalf of a surety bail bondsman for
840 purposes of indemnifying the insurer for losses and costs associated
841 with surety bonds executed by such bondsman shall be deposited and
842 maintained in a Connecticut bank or federal bank, as those terms are
843 defined in section 36a-1 of the general statutes.

844 Sec. 34. (NEW) (*Effective October 1, 2008*) A court shall vacate an
845 order forfeiting a bond and release the surety if (1) the principal is
846 incarcerated in another state, territory or country for a period in excess
847 of the six-month stay of execution ordered pursuant to section 54-65a
848 or 54-66 of the general statutes, as amended by this act, (2) the
849 professional bondsman, the surety bail bondsman or the insurer
850 provides proof of such incarceration to the court and the state's
851 attorney prosecuting the case, and (3) the state's attorney prosecuting
852 the case declines to seek extradition of the principal.

853 Sec. 35. (NEW) (*Effective October 1, 2008*) The Judicial Branch shall
854 notify the Attorney General whenever a court vacates an order

855 forfeiting a bond.

856 Sec. 36. Section 29-152e of the general statutes is repealed and the
857 following is substituted in lieu thereof (*Effective October 1, 2008*):

858 No person shall, as a surety on a bond in a criminal proceeding or
859 an agent of such surety, engage in the business of taking or attempting
860 to take into custody or otherwise locating, transporting or arranging
861 the surrender or apprehension of the principal on the bond who has
862 failed to appear in court and for whom a rearrest warrant or a capias
863 has been issued pursuant to section 54-65a, as amended by this act,
864 unless such person is licensed as a professional bondsman or surety
865 bail bondsman under chapter 533 [, a surety bail bond agent under
866 chapter 700f] or a bail enforcement agent under sections 29-152f to 29-
867 152i, inclusive, as amended by this act.

868 Sec. 37. Section 29-152i of the general statutes is repealed and the
869 following is substituted in lieu thereof (*Effective October 1, 2008*):

870 The Commissioner of Public Safety may suspend, revoke or refuse
871 to renew the license of any bail enforcement agent, provided notice
872 shall have been given to the licensee to appear before the
873 commissioner to show cause why the license should not be suspended,
874 revoked or refused renewal, upon a finding by the commissioner that:
875 (1) The licensee has violated any of the terms or provisions of sections
876 29-152e to 29-152m, inclusive, as amended by this act, [or section
877 38a-660a] or any of the regulations adopted under section 29-152o; (2)
878 the licensee has practiced fraud, deceit or misrepresentation; (3) the
879 licensee has made a material misstatement in the application for
880 issuance or renewal of such license; (4) the licensee has demonstrated
881 incompetence or untrustworthiness in the conduct of the licensee's
882 business; (5) the licensee has been convicted of a felony, a
883 misdemeanor specified in section 29-152f, or other crime affecting the
884 licensee's honesty, integrity or moral fitness; or (6) the licensee is
885 unsuitable. The suspension or revocation of, or the refusal to renew,
886 any bail enforcement agent's license shall also constitute the revocation

887 of the bail enforcement agent's firearms permit issued pursuant to
888 section 29-152m, as amended by this act. Any bail enforcement agent
889 who fails to surrender such license within five days of notification in
890 writing of the suspension or revocation of, or refusal to renew, such
891 license shall be guilty of a class C misdemeanor. Any party aggrieved
892 by an order of the commissioner under this section may appeal
893 therefrom in accordance with the provisions of section 4-183, except
894 venue for such appeal shall be in the judicial district of Hartford.

895 Sec. 38. Section 29-152k of the general statutes is repealed and the
896 following is substituted in lieu thereof (*Effective October 1, 2008*):

897 Prior to taking or attempting to take into custody the principal on a
898 bond, a professional bondsman or surety bail bondsman licensed
899 under chapter 533 [, a surety bail bond agent licensed under chapter
900 700f] or a bail enforcement agent licensed under sections 29-152f to 29-
901 152i, inclusive, as amended by this act, shall notify the police
902 department or resident state trooper for, or state police troop having
903 jurisdiction over, the municipality in which the principal is believed to
904 be located of such bondsman's or agent's intentions.

905 Sec. 39. Section 29-152l of the general statutes is repealed and the
906 following is substituted in lieu thereof (*Effective October 1, 2008*):

907 No professional bondsman or surety bail bondsman licensed under
908 chapter 533 [, surety bail bond agent licensed under chapter 700f] or
909 bail enforcement agent licensed under sections 29-152f to 29-152i,
910 inclusive, as amended by this act, shall wear, carry or display any
911 uniform, badge, shield or other insignia or emblems that purport to
912 indicate that such bondsman or agent is an employee, officer or agent
913 of the state or any political subdivision of the state or of the federal
914 government.

915 Sec. 40. Section 29-152m of the general statutes is repealed and the
916 following is substituted in lieu thereof (*Effective October 1, 2008*):

917 (a) No professional bondsman or surety bail bondsman licensed
918 under chapter 533 [, surety bail bond agent licensed under chapter
919 700f] or bail enforcement agent licensed under sections 29-152f to
920 29-152i, inclusive, as amended by this act, shall carry a pistol, revolver
921 or other firearm while engaging in the business of a professional
922 bondsman, surety bail [bond agent] bondsman or bail enforcement
923 agent, as the case may be, or while traveling to or from such business
924 unless such bondsman or agent obtains a special permit from the
925 Commissioner of Public Safety in accordance with the provisions of
926 subsection (b) of this section. The permit required under this section
927 shall be in addition to the permit requirement imposed under section
928 29-28 of the 2008 supplement to the general statutes.

929 (b) The Commissioner of Public Safety may grant to any
930 professional bondsman or surety bail bondsman licensed under
931 chapter 533 [, surety bail bond agent licensed under chapter 700f] or
932 bail enforcement agent licensed under sections 29-152f to 29-152i,
933 inclusive, as amended by this act, a permit to carry a pistol or revolver
934 or other firearm while engaging in the business of professional
935 bondsman, surety bail [bond agent] bondsman or bail enforcement
936 agent, as the case may be, or while traveling to or from such business,
937 provided that such bondsman or agent has proven to the satisfaction of
938 the commissioner that such bondsman or agent has successfully
939 completed a course, approved by the commissioner, of training in the
940 safety and use of firearms. The commissioner shall adopt regulations
941 in accordance with the provisions of chapter 54 concerning the
942 approval of schools, institutions or organizations offering such
943 courses, requirements for instructors and the required number of
944 hours and content of such courses.

945 (c) Application for a permit issued pursuant to this section shall be
946 made on forms provided by the commissioner and shall be
947 accompanied by a thirty-one-dollar fee. Such permit shall have an
948 expiration date that coincides with that of the state permit to carry a
949 pistol or revolver issued pursuant to section 29-28 of the 2008

950 supplement to the general statutes. A permit issued pursuant to this
951 section shall be renewable every five years with a renewal fee of thirty-
952 one dollars. The commissioner shall send, by first class mail, a notice of
953 expiration of the bail enforcement agent firearms permit issued
954 pursuant to this section, together with a notice of expiration of the
955 permit to carry a pistol or revolver issued pursuant to section 29-28 of
956 the 2008 supplement to the general statutes, in one combined form.
957 The commissioner shall send such combined notice to the holder of the
958 permits not later than ninety days before the date of the expiration of
959 both permits, and shall enclose a form for renewal of the permits. A
960 bail enforcement agent firearms permit issued pursuant to this section
961 shall be valid for a period of ninety days after the expiration date,
962 except this provision shall not apply if the permit to carry a pistol or
963 revolver has been revoked or revocation is pending pursuant to section
964 29-32, in which case the bail enforcement agent firearms permit issued
965 pursuant to this section shall also be revoked.

966 Sec. 41. Section 29-152n of the general statutes is repealed and the
967 following is substituted in lieu thereof (*Effective October 1, 2008*):

968 Any person who violates any provision of sections 29-152e to
969 29-152m, inclusive, as amended by this act, [and 38a-660a] shall be
970 guilty of a class D felony.

971 Sec. 42. (*Effective October 1, 2008*) Section 38a-660a of the general
972 statutes is repealed.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2008</i>	New section
Sec. 2	<i>October 1, 2008</i>	38a-660
Sec. 3	<i>July 1, 2008</i>	New section
Sec. 4	<i>July 1, 2008</i>	New section
Sec. 5	<i>October 1, 2008</i>	29-144
Sec. 6	<i>October 1, 2008</i>	29-145
Sec. 7	<i>October 1, 2008</i>	29-146

Sec. 8	<i>October 1, 2008</i>	New section
Sec. 9	<i>October 1, 2008</i>	New section
Sec. 10	<i>October 1, 2008</i>	New section
Sec. 11	<i>October 1, 2008</i>	29-147
Sec. 12	<i>October 1, 2008</i>	29-147a
Sec. 13	<i>October 1, 2008</i>	29-148
Sec. 14	<i>October 1, 2008</i>	29-149
Sec. 15	<i>October 1, 2008</i>	29-150
Sec. 16	<i>October 1, 2008</i>	29-152
Sec. 17	<i>October 1, 2008</i>	New section
Sec. 18	<i>October 1, 2008</i>	29-151
Sec. 19	<i>October 1, 2008</i>	New section
Sec. 20	<i>October 1, 2008</i>	New section
Sec. 21	<i>October 1, 2008</i>	54-63c(c)
Sec. 22	<i>October 1, 2008</i>	54-63d(d)
Sec. 23	<i>October 1, 2008</i>	54-65a
Sec. 24	<i>October 1, 2008</i>	54-66
Sec. 25	<i>October 1, 2008</i>	New section
Sec. 26	<i>October 1, 2008</i>	New section
Sec. 27	<i>October 1, 2008</i>	51-279b
Sec. 28	<i>October 1, 2008</i>	New section
Sec. 29	<i>October 1, 2008</i>	New section
Sec. 30	<i>October 1, 2008</i>	New section
Sec. 31	<i>October 1, 2008</i>	New section
Sec. 32	<i>October 1, 2008</i>	New section
Sec. 33	<i>October 1, 2008</i>	New section
Sec. 34	<i>October 1, 2008</i>	New section
Sec. 35	<i>October 1, 2008</i>	New section
Sec. 36	<i>October 1, 2008</i>	29-152e
Sec. 37	<i>October 1, 2008</i>	29-152i
Sec. 38	<i>October 1, 2008</i>	29-152k
Sec. 39	<i>October 1, 2008</i>	29-152l
Sec. 40	<i>October 1, 2008</i>	29-152m
Sec. 41	<i>October 1, 2008</i>	29-152n
Sec. 42	<i>October 1, 2008</i>	Repealer section

Statement of Purpose:

To provide for better regulation of the bail bond industry.

[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.]