



General Assembly

**Amendment**

February Session, 2012

LCO No. 3458

**\*SB0032403458SD0\***

Offered by:

SEN. HARTLEY, 15<sup>th</sup> Dist.

REP. DARGAN, 115<sup>th</sup> Dist.

To: Subst. Senate Bill No. 324

File No. 131

Cal. No. 129

**"AN ACT CONCERNING THE DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION."**

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. Section 29-145 of the 2012 supplement to the general  
4 statutes is repealed and the following is substituted in lieu thereof  
5 (*Effective October 1, 2012*):

6 Any person desiring to engage in the business of a professional  
7 bondsman shall apply to the Commissioner of Emergency Services and  
8 Public Protection for a license. Such application shall set forth under  
9 oath the full name, age, residence, telephone number and occupation  
10 of the applicant, whether the applicant intends to engage in the  
11 business of a professional bondsman individually or in partnership or  
12 association with another or others, and, if so, the identity of each. It  
13 shall also set forth under oath a statement of the assets and liabilities of  
14 the applicant, and whether the applicant has been charged with or

15 convicted of a crime, and such other information, including  
16 fingerprints and photographs, as said commissioner from time to time  
17 may require. The commissioner shall require the applicant to submit  
18 proof that he or she is at least twenty-one years of age and has received  
19 a high school diploma or an equivalent academic education. The  
20 commissioner shall require the applicant to submit to state and  
21 national criminal history records checks. The criminal history records  
22 checks required pursuant to this section shall be conducted in  
23 accordance with section 29-17a. No person who has been convicted of  
24 a felony shall be licensed to do business as a professional bondsman in  
25 this state. No person engaged in law enforcement or vested with police  
26 powers shall be licensed to do business as a professional bondsman.  
27 No person who has not attained twenty-one years of age or has not  
28 received a high school diploma or an equivalent academic education  
29 shall be licensed to do business as a professional bondsman.

30 Sec. 502. Section 29-147 of the general statutes is repealed and the  
31 following is substituted in lieu thereof (*Effective October 1, 2012*):

32 Each professional bondsman licensed under the provisions of this  
33 chapter may apply for a renewal of his license upon renewal  
34 application forms provided by the Commissioner of Emergency  
35 Services and Public Protection and requiring the disclosure of such  
36 information as said commissioner requires in determining whether or  
37 not such professional bondsman's financial responsibility remains  
38 unimpaired or whether for any other reason such bondsman's fitness  
39 to continue in such business has been otherwise altered since the  
40 issuance of any prior license. Said commissioner may suspend for a  
41 definite term or revoke any license issued under the provisions of this  
42 chapter if it appears to said commissioner that (1) such licensee has  
43 been convicted of a felony in this state or elsewhere, [or] (2) such  
44 licensee is engaged in any unlawful activity affecting his fitness to  
45 continue in the business of professional bondsman, [or that his] (3) the  
46 financial responsibility of such licensee has been substantially  
47 impaired, or (4) such licensee is subject to a restraining or protective  
48 order issued by a court in a case involving the use, attempted use or

49 threatened use of physical force against another person.

50 Sec. 503. Section 29-152f of the general statutes is repealed and the  
51 following is substituted in lieu thereof (*Effective October 1, 2012*):

52 Any person desiring to engage in the business of a bail enforcement  
53 agent shall apply to the Commissioner of Emergency Services and  
54 Public Protection for a license therefor. Such application shall set forth  
55 under oath the full name, age, date and place of birth, residence and  
56 occupation of the applicant. It shall also set forth under oath a  
57 statement of whether the applicant has been charged with or convicted  
58 of a crime, and such other information, including fingerprints and  
59 photographs, as required by the commissioner. The commissioner  
60 shall require the applicant to submit proof that he or she is at least  
61 twenty-one years of age and has received a high school diploma or an  
62 equivalent academic education. The commissioner shall require the  
63 applicant to submit to state and national criminal history records  
64 checks. The criminal history records checks required pursuant to this  
65 section shall be conducted in accordance with section 29-17a. Within  
66 five years prior to the date of application, the applicant shall have  
67 successfully completed a course in the criminal justice system  
68 consisting of not less than twenty hours of study approved by the  
69 commissioner. No person who has been convicted of a felony or any  
70 misdemeanor under section 21a-279, 53a-58, 53a-61, 53a-61a, 53a-62,  
71 53a-63, 53a-96, 53a-173, 53a-175, 53a-176, 53a-178 or 53a-181d shall be  
72 licensed to do business as a bail enforcement agent in this state. No  
73 person engaged in law enforcement or vested with police powers shall  
74 be licensed to do business as a bail enforcement agent. No person who  
75 has not attained twenty-one years of age or has not received a high  
76 school diploma or an equivalent academic education shall be licensed  
77 to do business as a bail enforcement agent.

78 Sec. 504. Section 29-152i of the general statutes is repealed and the  
79 following is substituted in lieu thereof (*Effective October 1, 2012*):

80 The Commissioner of Emergency Services and Public Protection

81 may suspend, revoke or refuse to renew the license of any bail  
82 enforcement agent, provided notice shall have been given to the  
83 licensee to appear before the commissioner to show cause why the  
84 license should not be suspended, revoked or refused renewal, upon a  
85 finding by the commissioner that: (1) The licensee has violated any of  
86 the terms or provisions of sections 29-152e to 29-152m, inclusive, as  
87 amended by this act, or section 38a-660a or any of the regulations  
88 adopted under section 29-152o; (2) the licensee has practiced fraud,  
89 deceit or misrepresentation; (3) the licensee has made a material  
90 misstatement in the application for issuance or renewal of such license;  
91 (4) the licensee has demonstrated incompetence or untrustworthiness  
92 in the conduct of the licensee's business; (5) the licensee is subject to a  
93 restraining or protective order issued by a court in a case involving the  
94 use, attempted use or threatened use of physical force against another  
95 person; (6) the licensee has been convicted of a felony, a misdemeanor  
96 specified in section 29-152f, as amended by this act, or other crime  
97 affecting the licensee's honesty, integrity or moral fitness; or [(6)] (7)  
98 the licensee is unsuitable. The suspension or revocation of, or the  
99 refusal to renew, any bail enforcement agent's license shall also  
100 constitute the revocation of the bail enforcement agent's firearms  
101 permit issued pursuant to section 29-152m, as amended by this act.  
102 Any bail enforcement agent who fails to surrender such license within  
103 five days of notification in writing of the suspension or revocation of,  
104 or refusal to renew, such license shall be guilty of a class C  
105 misdemeanor. Any party aggrieved by an order of the commissioner  
106 under this section may appeal therefrom in accordance with the  
107 provisions of section 4-183, except venue for such appeal shall be in the  
108 judicial district of Hartford.

109 Sec. 505. Section 29-152l of the general statutes is repealed and the  
110 following is substituted in lieu thereof (*Effective October 1, 2012*):

111 (a) No professional bondsman licensed under chapter 533, surety  
112 bail bond agent licensed under chapter 700f or bail enforcement agent  
113 licensed under sections 29-152f to 29-152i, inclusive, as amended by  
114 this act, shall wear, carry or display any uniform, badge, shield or

115 other insignia or emblems that purport to indicate that such bondsman  
116 or agent is an employee, officer or agent of the state or any political  
117 subdivision of the state or of the federal government.

118 (b) No bail enforcement agent licensed under sections 29-152f to 29-  
119 152i, inclusive, as amended by this act, shall wear, carry or display a  
120 badge that indicates that he or she is a bail enforcement agent or  
121 performs the duties of a bail enforcement agent unless the  
122 Commissioner of Emergency Services and Public Protection has  
123 approved such badge. If the commissioner suspends or revokes, or  
124 refuses to renew, the license of a bail enforcement agent, such agent  
125 shall surrender any badge approved by the commissioner pursuant to  
126 this subsection when such agent surrenders such license pursuant to  
127 section 29-152i, as amended by this act. Any violation of this  
128 subsection shall be an infraction.

129 Sec. 506. Section 29-152m of the general statutes is repealed and the  
130 following is substituted in lieu thereof (*Effective October 1, 2012*):

131 (a) No professional bondsman licensed under chapter 533, surety  
132 bail bond agent licensed under chapter 700f or bail enforcement agent  
133 licensed under sections 29-152f to 29-152i, inclusive, as amended by  
134 this act, shall carry a pistol, revolver or other firearm while engaging in  
135 the business of a professional bondsman, surety bail bond agent or bail  
136 enforcement agent, as the case may be, or while traveling to or from  
137 such business unless such bondsman or agent obtains a special permit  
138 from the Commissioner of Emergency Services and Public Protection  
139 in accordance with the provisions of subsection (b) of this section. The  
140 permit required under this section shall be in addition to the permit  
141 requirement imposed under section 29-28 and shall not be issued until  
142 the applicant has been issued a permit under section 29-28.

143 (b) The Commissioner of Emergency Services and Public Protection  
144 may grant to any professional bondsman licensed under chapter 533,  
145 surety bail bond agent licensed under chapter 700f or bail enforcement  
146 agent licensed under sections 29-152f to 29-152i, inclusive, as amended

147 by this act, a permit to carry a pistol or revolver or other firearm while  
148 engaging in the business of professional bondsman, surety bail bond  
149 agent or bail enforcement agent, as the case may be, or while traveling  
150 to or from such business, provided that such bondsman or agent has  
151 proven to the satisfaction of the commissioner that such bondsman or  
152 agent has successfully completed a course, approved by the  
153 commissioner, of training in the safety and use of firearms. [The  
154 commissioner shall adopt regulations in accordance with the  
155 provisions of chapter 54 concerning the approval of schools,  
156 institutions or organizations offering such courses, requirements for  
157 instructors and the required number of hours and content of such  
158 courses.]

159 (c) [Application] An application for a permit [issued] pursuant to  
160 this section shall be made on forms provided by the commissioner and  
161 shall be accompanied by a [sixty-two-dollar] fee of sixty-two dollars.  
162 Such permit shall have an expiration date that coincides with that of  
163 the state permit to carry a pistol or revolver issued pursuant to section  
164 29-28.

165 (d) A permit issued pursuant to this section shall be renewable  
166 every five years with a renewal fee of sixty-two dollars. Each holder of  
167 a permit issued pursuant to this section shall successfully complete an  
168 annual firearms safety refresher course approved by the commissioner  
169 as a condition of such renewal. The commissioner shall send, by first  
170 class mail, a notice of expiration of the bail enforcement agent firearms  
171 permit issued pursuant to this section, together with a notice of  
172 expiration of the permit to carry a pistol or revolver issued pursuant to  
173 section 29-28, in one combined form. The commissioner shall send  
174 such combined notice to the holder of the permits not later than ninety  
175 days before the date of the expiration of both permits, and shall  
176 enclose a form for renewal of the permits. A bail enforcement agent  
177 firearms permit issued pursuant to this section shall be valid for a  
178 period of ninety days after the expiration date, except this provision  
179 shall not apply if the permit to carry a pistol or revolver has been  
180 revoked or revocation is pending pursuant to section 29-32, in which

181 case the bail enforcement agent firearms permit shall also be revoked.

182 (e) The commissioner shall adopt regulations in accordance with the  
183 provisions of chapter 54 concerning the approval of schools,  
184 institutions or organizations offering firearms safety courses, the  
185 requirements for instructors and the required number of hours and  
186 content of such courses.

187 Sec. 507. (NEW) (*Effective October 1, 2012*) (a) On and after October 1,  
188 2012, no person may be an instructor for a course in the criminal justice  
189 system for purposes of section 29-152f of the general statutes, as  
190 amended by this act, or a course in the safety and use of firearms for  
191 purposes of subsection (b) of section 29-152m of the general statutes, as  
192 amended by this act, without the approval of the Commissioner of  
193 Emergency Services and Public Protection.

194 (b) (1) An application for approval as an instructor shall be  
195 submitted on a form prescribed by the commissioner. Such application  
196 shall be made under oath and contain the following: (A) The  
197 applicant's name, address and date and place of birth; (B) the  
198 applicant's employment for the five years prior to the date of  
199 application; (C) the applicant's education or training in the subject  
200 matter of the course required under section 29-152f of the general  
201 statutes, as amended by this act, or subsection (b) of section 29-152m of  
202 the general statutes, as amended by this act, as applicable; (D) any  
203 convictions for violations of the law; and (E) such other information as  
204 the commissioner may require by regulation adopted pursuant to this  
205 section for purposes of investigating the character, competency and  
206 integrity of the applicant.

207 (2) No person shall be approved as an instructor who (A) has been  
208 convicted of a felony or any misdemeanor pursuant to section 21a-279,  
209 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-173, 53a-175, 53a-  
210 176, 53a-178 or 53a-181d of the general statutes, (B) has been denied a  
211 license as a professional bondsman, surety bail bond agent or bail  
212 enforcement agent, or (C) has had such license suspended or revoked.

213 (3) If a course conducted by an instructor under section 29-152f of  
214 the general statutes, as amended by this act, or subsection (b) of section  
215 29-152m of the general statutes, as amended by this act, is approved by  
216 the commissioner on or before October 1, 2012, the instructor of such  
217 course shall, notwithstanding subsection (a) of this section, have until  
218 April 1, 2013, to apply for approval as an instructor in accordance with  
219 this subsection.

220 (c) Upon being satisfied, after investigation, that the applicant  
221 satisfies the requirements of subsection (b) of this section and is a  
222 suitable person to be approved as an instructor, the commissioner may  
223 issue an approval to such applicant to do business in this state as an  
224 approved instructor. The fee for such approval shall be fifty dollars.  
225 The term of such approval shall not exceed two years from the date of  
226 the initial approval. Any person approved as an instructor under this  
227 section shall notify the commissioner of any change in such person's  
228 address not later than two business days after such change. The  
229 notification shall include the person's old address and new address.

230 (d) Each person approved as an instructor under this section may  
231 apply for renewal of such approval on a form prescribed by the  
232 commissioner that provides for the disclosure of such information as  
233 the commissioner may require to determine whether such person's  
234 suitability to continue as an instructor has changed since the issuance  
235 of the prior approval. The fee for such renewal shall be fifty dollars.

236 (e) The commissioner may adopt regulations, in accordance with the  
237 provisions of chapter 54 of the general statutes, to implement the  
238 provisions of this section.

239 (f) Any person who violates any provision of subsection (a) of this  
240 section shall be fined seventy-five dollars for each offense. Each  
241 distinct violation of subsection (a) of this section shall be a separate  
242 offense and, in the case of a continuing violation, each day thereof shall  
243 be deemed a separate offense.

244 Sec. 508. (NEW) (*Effective October 1, 2012*) The Commissioner of

245 Emergency Services and Public Protection may suspend, revoke or  
 246 refuse to renew the approval of any instructor issued pursuant to  
 247 section 507 of this act, provided the commissioner has given notice to  
 248 the instructor to appear before the commissioner to show cause why  
 249 the approval should not be suspended, revoked or refused renewal,  
 250 upon a finding by the commissioner that the instructor: (1) Has  
 251 violated any of the terms or provisions of section 507 of this act; (2) has  
 252 practiced fraud, deceit or misrepresentation; (3) has made a material  
 253 misstatement in the application for issuance or renewal of such  
 254 approval; (4) has demonstrated incompetence or untrustworthiness in  
 255 the conduct of the instructor's courses; (5) has been convicted of a  
 256 felony, a misdemeanor specified in subdivision (2) of subsection (b) of  
 257 section 507 of this act or any crime affecting the instructor's honesty,  
 258 integrity or moral fitness; or (6) is otherwise unsuitable. Any party  
 259 aggrieved by an order of the commissioner under this section may  
 260 appeal therefrom in accordance with the provisions of section 4-183 of  
 261 the general statutes, except venue for such appeal shall be in the  
 262 judicial district of Hartford.

263 Sec. 509. Section 29-152n of the general statutes is repealed and the  
 264 following is substituted in lieu thereof (*Effective October 1, 2012*):

265 Any person who violates any provision of sections 29-152e to  
 266 29-152m, inclusive, as amended by this act, for which no other penalty  
 267 is provided, shall be guilty of a class D felony."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>October 1, 2012</i>	29-145
Sec. 502	<i>October 1, 2012</i>	29-147
Sec. 503	<i>October 1, 2012</i>	29-152f
Sec. 504	<i>October 1, 2012</i>	29-152i
Sec. 505	<i>October 1, 2012</i>	29-152l
Sec. 506	<i>October 1, 2012</i>	29-152m
Sec. 507	<i>October 1, 2012</i>	New section
Sec. 508	<i>October 1, 2012</i>	New section

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Sec. 509	<i>October 1, 2012</i>	29-152n
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