



Senate Bill No. 825

Public Act No. 13-94

**AN ACT CONCERNING PROFESSIONAL BONDSMEN, SURETY
BAIL BOND AGENTS AND BAIL ENFORCEMENT AGENTS.**

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

Section 1. Section 29-145 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person desiring to engage in the business of a professional bondsman shall apply to the Commissioner of Emergency Services and Public Protection for a license. Such application shall set forth under oath the full name, age, residence, telephone number and occupation of the applicant, whether the applicant intends to engage in the business of a professional bondsman individually or in partnership or association with another or others, and, if so, the identity of each. It shall also set forth under oath a statement of the assets and liabilities of the applicant, and whether the applicant has been charged with or convicted of crime, and such other information, including fingerprints and photographs, as said commissioner from time to time may require. The commissioner shall require the applicant to submit proof that he or she is at least twenty-one years of age and has received a high school diploma or an equivalent academic education. The commissioner shall require the applicant to submit to state and national criminal history records checks. The criminal history records

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checks required pursuant to this section shall be conducted in accordance with section 29-17a. No person who has been convicted of a felony shall be licensed to do business as a professional bondsman in this state. No person engaged in law enforcement or vested with police powers shall be licensed to do business as a professional bondsman. No person who has not attained twenty-one years of age or has not received a high school diploma or an equivalent academic education shall be licensed to do business as a professional bondsman.

Sec. 2. Section 29-147 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

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

Sec. 3. Section 29-152f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

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

Sec. 4. Section 29-152i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

The Commissioner of Emergency Services and Public Protection may suspend, revoke or refuse to renew the license of any bail enforcement agent, provided notice shall have been given to the

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

Sec. 5. Section 29-152l of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) No professional bondsman licensed under chapter 533, surety bail bond agent licensed under chapter 700f or bail enforcement agent licensed under sections 29-152f to 29-152i, inclusive, as amended by

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this act, shall wear, carry or display any uniform, badge, shield or other insignia or emblems that purport to indicate that such bondsman or agent is an employee, officer or agent of the state or any political subdivision of the state or of the federal government.

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

Sec. 6. Section 29-152m of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

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

(b) The Commissioner of Emergency Services and Public Protection

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

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

(d) A permit issued pursuant to this section shall be renewable every five years with a renewal fee of sixty-two dollars. Each holder of a permit issued pursuant to this section shall successfully complete an annual firearms safety refresher course approved by the commissioner as a condition of such renewal. The commissioner shall send, by first class mail, a notice of expiration of the bail enforcement agent firearms permit issued pursuant to this section, together with a notice of expiration of the permit to carry a pistol or revolver issued pursuant to section 29-28, in one combined form. The commissioner shall send such combined notice to the holder of the permits not later than ninety

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days before the date of the expiration of both permits, and shall enclose a form for renewal of the permits. A bail enforcement agent firearms permit issued pursuant to this section shall be valid for a period of ninety days after the expiration date, except this provision shall not apply if the permit to carry a pistol or revolver has been revoked or revocation is pending pursuant to section 29-32, in which case the bail enforcement agent firearms permit shall also be revoked.

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

Sec. 7. (NEW) (*Effective October 1, 2013*) (a) On and after October 1, 2013, no person may be an instructor for a course in the criminal justice system for purposes of section 29-152f of the general statutes, as amended by this act, or a course in the safety and use of firearms for purposes of subsection (b) of section 29-152m of the general statutes, as amended by this act, without the approval of the Commissioner of Emergency Services and Public Protection.

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

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integrity of the applicant.

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

(3) If a course conducted by an instructor under section 29-152f of the general statutes, as amended by this act, or subsection (b) of section 29-152m of the general statutes, as amended by this act, is approved by the commissioner on or before October 1, 2013, the instructor of such course shall, notwithstanding subsection (a) of this section, have until April 1, 2014, to apply for approval as an instructor in accordance with this subsection.

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

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

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

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

Sec. 8. (NEW) (*Effective October 1, 2013*) The Commissioner of Emergency Services and Public Protection may suspend, revoke or refuse to renew the approval of any instructor issued pursuant to section 7 of this act, provided the commissioner has given notice to the instructor to appear before the commissioner to show cause why the approval should not be suspended, revoked or refused renewal, upon a finding by the commissioner that the instructor: (1) Has violated any of the terms or provisions of section 7 of this act; (2) has practiced fraud, deceit or misrepresentation; (3) has made a material misstatement in the application for issuance or renewal of such approval; (4) has demonstrated incompetence or untrustworthiness in the conduct of the instructor's courses; (5) has been convicted of a felony, a misdemeanor specified in subdivision (2) of subsection (b) of section 7 of this act or any crime affecting the instructor's honesty, integrity or moral fitness; or (6) is otherwise unsuitable. Any party aggrieved by an order of the commissioner under this section may appeal therefrom in accordance with the provisions of section 4-183 of the general statutes, except venue for such appeal shall be in the judicial district of Hartford.

Sec. 9. Section 29-152n of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

Any person who violates any provision of sections 29-152e to

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29-152m, inclusive, as amended by this act, for which no other penalty is provided, shall be guilty of a class D felony.

Approved June 6, 2013