



General Assembly

Substitute Bill No. 6734

January Session, 2015



AN ACT CONCERNING SURETY BAIL BOND AGENTS.

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

1 Section 1. Subsection (b) of section 38a-660c of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2015*):

4 (b) If a surety bail bond agent enters into a premium financing
5 arrangement, such agent shall require (1) the principal on the bail bond
6 or any indemnitor to make a minimum down payment of thirty-five
7 per cent of the premium due, at the premium rate approved by the
8 commissioner pursuant to chapter 701, and (2) the principal and any
9 indemnitor to execute a promissory note for the balance of the
10 premium due. Such promissory note shall provide that such balance
11 shall be paid not later than [~~fifteen~~] thirty-six months after the date of
12 the execution of the bail bond. If such balance has not been paid in full
13 to the surety bail bond agent by the due date or a payment due under
14 such arrangement is more than sixty days in arrears, such agent shall
15 file, for a balance or payment due of one thousand dollars or more, and
16 may file, for a balance or payment due of less than one thousand
17 dollars, a civil action seeking appropriate relief with the court not later
18 than seventy-five days after such due date. The surety bail bond agent
19 shall make a diligent effort to obtain judgment after filing such
20 [~~complaint~~] action on such promissory note unless good cause is

21 shown for failure to obtain judgment, including, but not limited to, the
22 filing for bankruptcy by the principal or the indemnitor or failure to
23 serve process despite good faith efforts.

24 Sec. 2. Subsection (k) of section 38a-660 of the general statutes is
25 repealed and the following is substituted in lieu thereof (*Effective*
26 *October 1, 2015*):

27 (k) (1) (A) To further the enforcement of this section and sections
28 38a-660b to 38a-660m, inclusive, and to determine the eligibility of any
29 licensee, the commissioner may, as often as the commissioner deems
30 necessary, examine the books and records of any such licensee. Each
31 person licensed as a surety bail bond agent in this state shall, on or
32 before January thirty-first, annually, pay to the commissioner a fee of
33 four hundred fifty dollars to cover the cost of examinations under this
34 subsection.

35 (B) If such person fails to pay such fee on or before January thirty-
36 first, annually, the license of such person shall automatically expire on
37 the February first immediately following. The commissioner shall
38 timely notify, annually, each person licensed as a surety bail bond
39 agent in this state about such automatic expiration provision.

40 (2) The fees received by the commissioner pursuant to subdivision
41 (1) of this subsection shall be dedicated to conducting the examinations
42 under said subdivision (1) and shall be deposited in the account
43 established under subdivision (3) of this subsection.

44 (3) There is established an account to be known as the "surety bail
45 bond agent examination account", which shall be a separate,
46 nonlapsing account within the Insurance Fund established under
47 section 38a-52a. The account shall contain any moneys required by law
48 to be deposited in the account and any such moneys remaining in the
49 account at the [close of the fiscal] end of each calendar year shall be
50 transferred to the General Fund.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2015</i>	38a-660c(b)
Sec. 2	<i>October 1, 2015</i>	38a-660(k)

Statement of Legislative Commissioners:

In Sec. 2(k)(1), Subpara. (C) was deleted as repetitive of Sec. 38a-660m.

INS *Joint Favorable Subst.*