

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: S4/3/03
A Bill

HOUSE BILL 1889

5 By: Representative Hathorn
6
7

8 **For An Act To Be Entitled**

9 AN ACT TO REVISE THE LICENSING REQUIREMENTS FOR
10 BAIL BOND AGENTS; TO REVISE THE PROVISIONS
11 CONCERNING BAIL BOND AGENTS AS SURETIES; TO
12 PROVIDE FOR THE RIGHT TO AN ATTORNEY, PHYSICIAN,
13 AND PHONE CALLS WHILE IN JAIL; AND FOR OTHER
14 PURPOSES.

15
16 **Subtitle**

17 AN ACT TO REVISE THE PROVISIONS
18 CONCERNING BAIL BOND AGENTS; AND TO
19 PROVIDE FOR THE RIGHT TO AN ATTORNEY,
20 PHYSICIAN, AND PHONE CALLS WHILE IN
21 JAIL.

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23
24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
25

26 SECTION 1. Arkansas Code § 16-84-103(b), concerning the qualification
27 as a surety, is amended to read as follows:

28 (b)(1) The person or persons offered as surety shall be examined on
29 oath in regard to their qualifications as surety, and any officer authorized
30 to take bail is authorized to administer the oath, reduce the statements on
31 oath to writing, and require the person offered as surety to sign the
32 statement. Other proof may also be taken in regard to the sufficiency of the
33 surety. Prior to submission to the court or magistrate, the statement shall
34 also be signed by the sheriff or chief of police in the jurisdiction where
35 the defendant is charged.

36 (2) Proof that the surety is a licensed professional bail



1 bondsman shall be deemed sufficient proof of the sufficiency of the surety
2 and the surety ~~may~~ shall be accepted by all courts in this state or by any
3 individual authorized to take bail under the provisions of § 16-84-102.

4
5 SECTION 2. Arkansas Code § 16-85-101(a), concerning the right to an
6 attorney while awaiting trial, is amended to read as follows:

7 (a) While confined to any prison or jail in this state awaiting trial,
8 no prisoner shall be denied the right to:

9 (1) Consult an attorney of the prisoner's own choosing;

10 (2) Call a physician of the prisoner's own choosing if in need
11 of one; or

12 (3) Place free telephone calls to a bondsperson if the calls are
13 local calls.

14
15 SECTION 3. Arkansas Code § 17-19-110(a), concerning licensed bail bond
16 agents, is amended to read as follows:

17 (a) If a licensed bail bond agent has a current license with a current
18 licensed professional bail bond company, the agent ~~may~~ shall be permitted to
19 write a bail bond in any county with a current copy of his or her license, if
20 the agent and the agent's company are in good standing with the courts in the
21 jurisdiction where the bond is to be posted.

22
23 SECTION 4. Arkansas Code § 17-19-402 is repealed.

24 ~~17-19-402. Establishment of program—Schedule of fees.~~

25 ~~(a) The Professional Bail Bond Company and Professional Bail Bondsman~~
26 ~~Licensing Board shall on an annual basis solicit proposals from interested~~
27 ~~parties, and upon review of the proposals from all applicants, designate an~~
28 ~~entity or entities to establish an education program for professional bail~~
29 ~~bondsmen which will enable bail bondsmen to meet the education and continuing~~
30 ~~education requirements of §§ 17-19-212 and 17-19-401 et seq.~~

31 ~~(b)(1) The board or its designee shall establish a schedule of fees to~~
32 ~~be paid by each bail bondsman for the educational training.~~

33 ~~(2) The schedule of fees shall be subject to approval of the~~
34 ~~board.~~

35
36 SECTION 5. (a)(1) The Arkansas Professional Bail Association shall

1 establish an education program for professional bail bondsmen that will
2 enable bail bondsmen to meet the education and continuing education
3 requirements of §§ 17-19-212 and 17-19-401 through 17-19-402.

4 (2) The education program and the courses and training offered
5 shall be subject to the approval of the Professional Bail Bond Company and
6 Professional Bail Bondsman Licensing Board.

7 (b)(1) The Arkansas Professional Bail Association shall establish a
8 schedule of fees to be paid by each bail bondsman for the educational
9 training.

10 (2) The schedule of fees shall be approved by the Professional
11 Bail Bond Company and Professional Bail Bondsman Licensing Board.

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14 /s/ Hathorn
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