

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representative Dietz**

A Bill

ACT 500 OF 1993
HOUSE BILL 1552

For An Act To Be Entitled

8 "AN ACT TO CREATE THE PROFESSIONAL BAIL BOND COMPANY AND
9 PROFESSIONAL BAIL BONDSMAN LICENSING BOARD; TO CHARGE THE
10 BOARD WITH THE RESPONSIBILITY TO ADMINISTER AND ENFORCE
11 THE LAWS RELATING TO THE LICENSING AND REGULATION OF
12 PROFESSIONAL BAIL BOND COMPANIES AND PROFESSIONAL BAIL
13 BONDSMEN; AND FOR OTHER PURPOSES."

Subtitle

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15
16 "CREATES PROFESSIONAL BAIL BOND COMPANY AND PROFESSIONAL
17 BAIL BONDSMAN LICENSING BOARD AND PRESCRIBES POWERS AND
18 DUTIES OF THE BOARD."

19
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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22 SECTION 1. This act may be cited as the Arkansas Professional Bail Bond
23 Company and Professional Bail Bondsman Licensing Act.

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25 SECTION 2. There is hereby created the Professional Bail Bond Company
26 and Professional Bail Bondsman Licensing Board. The board shall be composed
27 of seven (7) members to be appointed by the Governor for terms of seven (7)
28 years. Provided, the members first appointed to the board shall draw lots for
29 terms so that one (1) member will serve for a term of one (1) year, one (1)
30 for a term of two (2) years, one (1) for a term of three (3) years, one (1)
31 for a term of four (4) years, one (1) for a term of five (5) years, one (1)
32 for a term of six (6) years and one (1) for a term of seven (7) years.

33 Thereafter, all appointments shall be for terms of seven (7) years. Vacancies
34 shall be filled by appointment of the Governor for the unexpired portion of
35 the term.

36 *Three (3) members of the board shall be licensed bail bond company*

1 owners, one (1) a municipal chief of police, one (1) a county sheriff, one (1)
2 an elected judge, and one (1) shall be a resident of the state who is not a
3 bail bond company owner, elected judge, sheriff or chief of police. No two
4 (2) of the three (3) bail bondsman members shall reside in the same
5 congressional district and at least one of the bail bondsman members shall be
6 an African-American.

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8 SECTION 3. The members of the board shall serve without compensation
9 but shall be entitled to reimbursement for actual documented expenses incurred
10 in the performance of their official duties.

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12 SECTION 4. (1) The board shall have the authority and responsibility to
13 administer and enforce the provisions of Arkansas Code Title 17, Chapter 17,
14 heretofore administered and enforced by the Commissioner of Insurance and the
15 Insurance Department, relating to licensing and regulation of professional
16 bail bond companies and professional bail bondsmen, and all such authority and
17 responsibility with respect to licensing and regulation of professional bail
18 bond companies and professional bail bondsmen heretofore vested in and
19 exercised by the Commissioner of Insurance and the Department of Insurance are
20 hereby transferred to and vested in the Professional Bail Bond Company and
21 Professional Bondsman Licensing Board.

22 (2) The board shall have the authority to adopt and enforce such
23 reasonable rules and regulations as it shall determine to be necessary to
24 enable it to effectively and efficiently carry out its official duty of
25 licensing and regulating professional bail bond companies and professional
26 bail bondsmen. Provided, all administrative rules and regulations concerning
27 professional bail bond companies and professional bail bondsmen adopted by the
28 Commissioner of Insurance and in effect on the effective date of this act
29 shall continue in full force and effect until revised or repealed by the
30 board.

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32 SECTION 5. The provisions of this act shall not be construed to repeal
33 any laws in effect on the effective date of this act relating to the licensing
34 and regulation of professional bail bond companies and professional bail
35 bondsmen but such laws shall remain in full force and effect and shall be

1 administered by the board created herein.

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3 SECTION 6. All provisions of this act of a general and permanent nature
4 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
5 Revision Commission shall incorporate the same in the Code.

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7 SECTION 7. If any provision of this act or the application thereof to
8 any person or circumstance is held invalid, such invalidity shall not affect
9 other provisions or applications of the act which can be given effect without
10 the invalid provision or application, and to this end the provisions of this
11 act are declared to be severable.

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13 SECTION 8. All laws and parts of laws in conflict with this act are
14 hereby repealed.

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/s/James Dietz

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APPROVED: 03/15/93

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As Engrossed: 2/18/93

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