

2 State of Arkansas  
3 88th General Assembly  
4 Regular Session, 2011

# A Bill

HOUSE BILL 1386

5  
6 By: Representatives H. Wilkins, Hall, Lovell, T. Steele, B. Wilkins  
7 By: Senators J. Jeffress, M. Lamoureux

8 Filed with: Interim House Committee on Judiciary  
9 pursuant to A.C.A. §10-3-217.

## For An Act To Be Entitled

10  
11 AN ACT REGARDING THE PROFESSIONAL BAIL BOND COMPANY  
12 AND PROFESSIONAL BAIL BONDSMAN LICENSING BOARD; TO  
13 DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

## Subtitle

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16 REGARDING THE PROFESSIONAL BAIL BOND  
17 COMPANY AND PROFESSIONAL BAIL BONDSMAN  
18 LICENSING BOARD AND TO DECLARE AN  
19 EMERGENCY.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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25 SECTION 1. Arkansas Code § 17-19-106 is amended to read as follows:  
26 17-19-106. Professional Bail Bond Company and Professional Bail  
27 Bondsman Licensing Board.

28 (a) This section may be cited as the "Arkansas Professional Bail Bond  
29 Company and Professional Bail Bondsman Licensing Act".

30 (b)(1) There is hereby created the Professional Bail Bond Company and  
31 Professional Bail Bondsman Licensing Board.

32 (2)(A) The board shall be composed of ~~eight (8)~~ ten (10) members  
33 to be appointed by the Governor for terms of ~~seven (7)~~ three (3) years.

34 (B) Vacancies shall be filled by appointment of the  
35 Governor for the unexpired portion of the term.

1           (3)(A) Three (3) members of the board shall be licensed bail  
2 bond company owners, one (1) a municipal chief of police, one (1) a county  
3 sheriff, one (1) a municipal or circuit judge, and ~~two (2)~~ four (4) shall be  
4 residents of the state who are not a bail bond company agent, a bail bond  
5 company owner, an elected judge, a sheriff, or a chief of police.

6                   (B)(i) No two (2) of the three (3) bail bondsman members  
7 shall reside in the same congressional district.

8                           (ii) At least one (1) board member shall be an  
9 African-American.

10                           (iii) At least one (1) board member shall be a  
11 female.

12                   (4)(A) The Governor shall appoint the president or chairperson  
13 of the board from the sitting members of the board.

14                   (B) The president or chairperson of the board shall not be  
15 a licensed bail bond company owner or agent.

16                   ~~(4)~~(5) The board shall have the authority and responsibility to  
17 administer and enforce the provisions of this chapter relating to licensing  
18 and regulation of professional bail bond companies and professional bail  
19 bondsmen.

20                   ~~(5)~~(6) The board shall have the authority to adopt and enforce  
21 ~~such~~ reasonable rules and regulations as it shall determine ~~to be~~ necessary  
22 to enable it to effectively and efficiently carry out its official duty of  
23 licensing and regulating professional bail bond companies and professional  
24 bail bondsmen.

25           (c) The members of the board shall receive expense reimbursement in  
26 accordance with § 25-16-901 et seq., and a stipend ~~pursuant to~~ under § 25-16-  
27 904.

28           (d) ~~The provisions of this~~ This section shall not ~~be construed to~~  
29 repeal any laws in effect on August 13, 1993, relating to the licensing and  
30 regulation of professional bail bond companies and professional bail  
31 bondsmen, but ~~such~~ the laws shall remain in full force and effect and shall  
32 be administered by the board created ~~herein~~ by this section.

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34           SECTION 2. EMERGENCY CLAUSE. It is hereby found and determined by the  
35 General Assembly of the State of Arkansas that the current makeup of the  
36 Professional Bail Bond Company and Professional Bail Bondsman Licensing Board

1 needs to be changed; that current board members serve terms that are longer  
2 than necessary and that there are not enough members of the general public on  
3 the board; and that this act is immediately necessary because the current  
4 makeup of the board is unsustainable. Therefore, an emergency is declared to  
5 exist and this act being immediately necessary for the preservation of the  
6 public peace, health, and safety shall become effective on:

7 (1) The date of its approval by the Governor;

8 (2) If the bill is neither approved nor vetoed by the Governor,  
9 the expiration of the period of time during which the Governor may veto the  
10 bill; or

11 (3) If the bill is vetoed by the Governor and the veto is  
12 overridden, the date the last house overrides the veto.

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14 Referred by the Arkansas House of Representatives

15 Prepared by: BPG/VJF  
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