

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4  
5 By: Senator J. Dismang  
6

# A Bill

SENATE BILL 177

## For An Act To Be Entitled

8 AN ACT REGARDING UNPAID BOND FORFEITURE JUDGMENT  
9 LIMITS; AND FOR OTHER PURPOSES.

### Subtitle

12 REGARDING UNPAID BOND FORFEITURE JUDGMENT  
13 LIMITS.  
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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19 SECTION 1. Arkansas Code Title 17, Subtitle 2, Chapter 19, Subchapter  
20 1 is amended to add a new section to read as follows:

21 17-19-112. Unpaid Bond Forfeiture Judgment Limits.

22 (a)(1) There shall be an initial one hundred thousand dollars  
23 (\$100,000) limit on active unpaid bond forfeiture judgments for each bail  
24 bonding company.

25 (2) Under this section, the amount of unpaid forfeiture or  
26 forfeitures shall be determined using the face value of an unpaid forfeited  
27 bond.

28 (b) When the Professional Bail Bond Company and Professional Bail  
29 Bondsman Licensing Board is notified of a bond forfeiture judgment under §  
30 17-19-208(b)(1) and has issued notice to the company after ninety (90) days  
31 from the date of judgment has elapsed, the value of the forfeited bond shall  
32 count against that company's respective limit.

33 (c) When a company's unpaid bond forfeiture or forfeitures reach one  
34 hundred thousand dollars (\$100,000) or the total amount of security deposit  
35 posted with the board, whichever is higher, the company license shall be  
36 suspended.



1           (d) The license shall remain suspended until:

2                   (1) The company can post an additional certificate of deposit or  
3 letter of credit with the board so that the company's security deposit  
4 exceeds the unpaid bond forfeiture or forfeitures amount;

5                   (2) The bond forfeiture judgment or judgments are paid to the  
6 extent that the total amount of unpaid forfeiture or forfeitures are less  
7 than the security deposit posted with the board; or

8                   (3)(A) The court that entered the bond forfeiture judgment  
9 releases the company's security deposit from responsibility on the unpaid  
10 forfeiture as required by § 17-19-208 (a)(1).

11                   (B) If the court releases the company's security deposit  
12 from responsibility on an unpaid bond forfeiture judgment, the release must  
13 be decreed by court order.

14                   (e) If the court releases the company's security deposit from  
15 liability on a bond forfeiture, that bond amount shall not count against the  
16 company's unpaid forfeiture limit.

17                   (f) A company's unpaid bond forfeiture limit shall not exceed one  
18 hundred thousand dollars (\$100,000) unless the company has posted additional  
19 security with the board and shall never exceed the company's total amount of  
20 posted security deposit or one hundred thousand dollars (\$100,000), whichever  
21 is more.

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