

Session 112 - (1997-1998)

H 4811 General Bill, By Scott and Harrison

A BILL TO AMEND CHAPTER 53 OF TITLE 38, CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, RELATING TO BAIL BONDSMEN AND RUNNERS, SO AS TO REVISE THE DEFINITION OF "ACCOMMODATION BONDSMAN", PROVIDE A DEFINITION FOR "COURT" AND "GOOD CAUSE", TO SUBSTITUTE THE PROCEDURE THAT ALLOWS A SURETY TO BE RELIEVED ON A BOND FOR THE PROCEDURE THAT ALLOWS A SURETY TO SURRENDER A DEFENDANT, TO ESTABLISH A PROCEDURE THAT ALLOWS A SURETY TO PAY AN ESTREATMENT IN INSTALLMENTS, TO SUBSTITUTE "PROFESSIONAL BONDSMAN", AND "SURETY BONDSMAN" FOR "BAIL BONDSMAN", TO PROVIDE EDUCATIONAL REQUIREMENTS FOR A PERSON APPLYING FOR A LICENSE TO WORK AS A LICENSED PROFESSIONAL BONDSMAN, SURETY BONDSMAN OR RUNNER, AND REVISE THE LICENSE EXAMINATION PROCEDURE, TO REDUCE THE FEE THAT A BONDSMAN PAYS TO A COUNTY CLERK OF COURT AND PROVIDE THAT A RUNNER ALSO SHALL PAY THIS FEE, TO REVISE THE LICENSE RENEWAL PROCEDURE FOR PROFESSIONAL AND SURETY BONDSMEN AND RUNNERS, TO PROVIDE THAT A PROFESSIONAL OR SURETY BONDSMAN OR RUNNER WHOSE LICENSE HAS BEEN REVOKED MUST NOT BE ISSUED ANOTHER LICENSE FOR A CERTAIN PERIOD BEFORE BEING RELICENSED, TO DELETE THE CONDITIONS UPON WHICH A BONDSMAN MAY SIGN OR COUNTERSIGN BLANK BAIL BONDS, OR AUTHORIZE ANOTHER TO COUNTERSIGN HIS NAME TO BONDS, TO SUBSTITUTE "COMPANY APPOINTING SURETY BONDSMAN" FOR "INSURER" AND REQUIRE THAT ALL BONDS WRITTEN BY A SURETY BONDSMAN SHALL HAVE ATTACHED THE INDIVIDUAL POWER OF ATTORNEY IN THE AMOUNT OF THE BOND, TO REVISE THE PROCEDURE THAT ALLOWS THE SUBSTITUTION OF BAIL BY SURETIES BY REQUIRING THE FILING OF A NEW UNDERTAKING WITH THE COURT EXECUTED BY THE DEFENDANT AND THE SURETIES WHEN BAIL IS SUBSTITUTED BY SURETIES, TO REVISE THE REQUIREMENT THAT A BONDSMAN SHALL MAINTAIN CERTAIN DEPOSITS WITH A CLERK OF COURT BY REQUIRING A MINIMUM OF TEN THOUSAND DOLLARS IN COLLATERAL BE IN THE FORM OF CASH OR CERTIFICATES OF DEPOSIT WITH THE REMAINING COLLATERAL IN THE FORM OF REAL ESTATE, AND TO REVISE THE PENALTY FOR VIOLATIONS OF PROVISIONS CONTAINED IN THIS CHAPTER.

03/17/98 House Introduced and read first time HJ-5

03/17/98 House Referred to Committee on Judiciary HJ-5