**South Carolina General Assembly**

120th Session, 2013-2014

**H. 3138**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. King

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Introduced in the House on January 8, 2013

Currently residing in the House Committee on **Judiciary**

Summary: Bondsmen continuing education requirements

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/11/2012 House Prefiled

12/11/2012 House Referred to Committee on **Judiciary**

1/8/2013 House Introduced and read first time ([House Journal‑page 101](file:///h:\HJ%20Archive\2013\01-08-13.docx))

1/8/2013 House Referred to Committee on **Judiciary** ([House Journal‑page 101](file:///h:\HJ%20Archive\2013\01-08-13.docx))

**VERSIONS OF THIS BILL**

[12/11/2012](file:///p:\pprever\2013-14\3138_20121211.docx)

**A** **BILL**

TO AMEND SECTION 38‑53‑85, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CONTINUING EDUCATIONAL REQUIREMENTS FOR PROFESSIONAL BONDSMEN, SO AS TO CHANGE THE SIX‑HOUR ANNUAL CONTINUING EDUCATION REQUIREMENT TO A THREE‑HOUR BIENNIAL REQUIREMENT.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 38‑53‑85 of the 1976 Code is amended to read:

“Section 38‑53‑85. (A)(1) An applicant for a license to work as a professional bondsman, surety bondsman, or runner must complete not less than twenty hours of education in subjects pertinent to the duties and responsibilities of a professional and surety bondsman or runner, including all laws and regulations related to being a professional or surety bondsman or runner. A written examination must be administered at the conclusion of the course work. Each applicant must pass the examination before he can be licensed.

(2)(a) ~~Each~~ A person licensed as a ~~professional bondsman,~~ surety bondsman~~,~~ or runner must complete annually not less than six hours of continuing education in subjects related to the duties and responsibilities of a ~~professional and~~ surety bondsman or runner before his license ~~shall~~ may be renewed. ~~The~~ These continuing education courses ~~shall~~ may not include a written or oral examination. The six‑hour annual requirement of this subitem is in addition to the twenty‑four hour continuing education requirement for surety insurance agents ~~as~~ required by Section 38‑43‑106.

(b) A person licensed as a professional bondsman must complete biennially not less than three hours of continuing education in subjects related to the duties and responsibilities of a professional bondsman before his license may be renewed. These continuing education courses may not include a written or oral examination. The three‑hour requirement of this subitem is in addition to the twenty‑four hour continuing education requirement for surety insurance agents required by Section 38‑43‑106.

(B) A person licensed as a professional bondsman, surety bondsman, or runner before the effective date of this section is not required to complete the requisite twenty hours of education, but must complete:

(1) six hours of continuing education courses ~~in order~~ to ~~have his license renewed~~ renew a surety bondsman license or runner license; or

(2) three hours of continuing education courses to renew a professional bondsman license.

(C) The South Carolina Bail Agent’s Association or ~~any other~~ another group or association approved by the Department of Insurance to provide educational courses to bondsmen must establish an educational curriculum for bondsman licensure. The Department of Insurance must approve the courses offered and ensure that the courses meet the standards for education established by this section and the department. The requirement of course work for licensure is not satisfied by a mail order course. The department must also approve a written examination to be administered by all groups who provide educational courses to be administered at the conclusion of the twenty‑hour course work.

(D) A person who falsely represents that he has met the educational requirements of this section is subject, after being afforded notice and an opportunity for a due process hearing by the Administrative Law ~~Judge Division~~ Court, to the penalty provided ~~for~~ in Section 38‑53‑340.

(E) A professional bondsman, surety bondsman, or runner who is more than sixty years of age and who has at least twenty years of licensure is exempt from the continuing education requirements ~~contained in~~ of this section.

(F) The director shall establish rules and regulations for the effective administration of this section.”

SECTION 2. This act takes effect upon approval by the Governor.

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