

SENATE BILL NO. 276

BY SENATOR MYERS

1 AN ACT

2 To enact R.S. 22:1558.1, relative to the appointment of a bail bond producer; to provide for  
3 a preappointment affidavit; to provide for cancellation of an appointment if the bail  
4 bond producer fails to satisfy all forfeitures and judgments on prior bonds; to provide  
5 for reappointments; to provide for appeals; to provide for rulemaking; to provide for  
6 definitions; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 22:1558.1 is hereby enacted to read as follows:

9 **§1558.1. Appointments; bail bond producer; affidavit; cancellation; appeal**

10 **A.(1) Before receiving an appointment, a bail bond producer shall**  
11 **submit to the commissioner an affidavit, signed under oath by the bail bond**  
12 **producer and by all former insurers, stating that the bail bond producer does**  
13 **not owe any premium or unsatisfied judgment to any insurer and that the bail**  
14 **bond producer agrees to discharge all outstanding forfeitures and judgments**  
15 **on bonds previously written.**

16 **(2) The affidavit shall be in a form prescribed by the commissioner and**  
17 **shall be submitted by the bail bond producer to the former insurer.**

18 **B.(1) If the bail bond producer does not satisfy or discharge all**  
19 **forfeitures or judgments, a former insurer shall submit a notice, with**  
20 **supporting documents, to the appointing insurer, the bail bond producer, and**  
21 **the commissioner, which states, under oath, that the bail bond producer has**  
22 **failed to satisfy, in a timely manner, all forfeitures and judgments on bonds**  
23 **written by the bail bond producer and that the former insurer has satisfied a**  
24 **forfeiture or judgment from its own funds. The former insurer shall submit the**  
25 **notice and supporting documents no later than thirty days after the former**  
26 **insurer receives the affidavit from the bail bond producer.**

27 **(2) Upon receipt of the notice and supporting documents, the appointing**

1 insurer shall immediately cancel the bail bond producer's appointment. The  
2 bail bond producer may be reappointed only upon certification by the former  
3 insurer that all forfeitures and judgments on bonds written by the bail bond  
4 producer have been discharged.

5 (3) The appointing insurer or bail bond producer may appeal to the  
6 commissioner no later than ten days after receiving the notice and supporting  
7 documents from the former insurer.

8 C. The commissioner shall promulgate any rules and regulations, in  
9 accordance with the Administrative Procedure Act, necessary to implement and  
10 enforce this Section, including but not limited to rules regarding the procedures  
11 for appeals and stays of the provisions of this Section.

12 D. As used in this Section, "former insurer" means an insurer with  
13 whom the bail bond producer had a prior appointment and who is responsible  
14 for any outstanding bonds written by the bail bond producer.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_