

Harrison County Bail Bond Board

Rules

Amended 8/31/06, effective as of 10/19/06; Rule 301(B) Amended 8/21/08

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Harrison County Bail Bond Board Rules

Pursuant to the provisions of V.T.C.A. Occupations Code Chapter 1704, the Harrison County Bail Bond Board Rules, hereinafter “Rules,” are promulgated to govern the giving and making of bail bonds in Harrison County, Texas. All references to the “Act” are references to V.T.C.A. Occupations Code Chapter 1704. All references to the “Board” mean the Harrison County Bail Bond Board.

Article I, Board Membership and Meetings

Rule 101, Board Members

The membership of the Board shall consist of the following persons:

- (1) The Harrison County Sheriff, or a designee from the Sheriff’s office, which designee must be the Sheriff’s administrator or a deputy sheriff of the rank of at least sergeant;
- (2) A District Judge of the county having jurisdiction over criminal matters, designated by the presiding judge of the administrative judicial district;
- (3) The County Judge, a member of the Commissioners Court designated by the County Judge, or a designee approved by the commissioners’ court;
- (4) The Judge of the County Court-at-Law having jurisdiction over criminal matters, designated by the Commissioners Court;
- (5) The District Attorney or an Assistant District Attorney designated by the District Attorney;
- (6) A licensed bail bond surety in the county elected by other county licensees pursuant to §1704.0535 of the Act;
- (7) A Justice of the Peace;
- (8) The District Clerk or the Clerk’s designee;
- (9) The County Clerk or the Clerk’s designee; and
- (10) The presiding judge of the municipal court of Marshall, Texas, if same is appointed by the Board;
- (11) The County Treasurer or the Treasurer’s designee;
- (12) One criminal defense attorney, practicing in Harrison County, elected by other attorneys whose principal places of business are in Harrison County, and who are not legally prohibited from representing criminal defendants; or the designee of such criminal defense attorney.
- (13) A criminal defense attorney practicing in Harrison County and elected by other attorneys whose principal places of business are located in Harrison County, and who are not legally prohibited from representing criminal defendants, or the designee of such criminal defense attorney. (Added by amendment 8/31/06, effective 9/11/06)

Rule 102, Meeting Times

The Board shall meet regularly, on the third Thursday of each month, or the first business day thereafter if such date be an official holiday, and on call of the Chair.

Rule 103, Meeting Locations

The Board shall meet on the 4th floor of the Harrison County Courthouse, located at 200 West Houston Street, Marshall, Texas, unless notice is posted otherwise.

Rule 104, Notice

All notices shall be posted on the bulletin boards in the lobby nearest the southeast public entrance on the first floor of the Harrison County Courthouse in Marshall, Texas. The office of the Board shall be the regular office of the member serving as Secretary of the Board, unless notice is posted to the contrary.

Rule 105, Quorum

Four members of the Board shall constitute a quorum for the conduct of business. All action by the Board shall require the vote of a majority of the members present.

Rule 106, Electing Officers

- (A) At the regular January meeting, the Board shall choose one of its members to serve as Chair until the next such annual election. The Chair shall serve as the presiding officer. The Chair may vote on any Board matter.
- (B) In like manner, the Board shall choose a Vice-Chair who shall preside in the temporary absence of the Chair. In the event the Chair is disqualified, for any reason before the end of the Chair's term, the Vice-Chair shall automatically become the Chair until the end of such term, and until a successor is elected and qualified. In such event, or if the Vice-Chair becomes disqualified, at the next regular meeting a new Vice-Chair shall be chosen.
- (C) In like manner, the Board shall choose a Secretary who shall preside in the temporary absence of the Chair and the Vice-Chair. The Secretary shall be responsible for supervising the receipt of applications; the preparation of agendas; the preparation and certification of records and transcripts of proceedings; the maintenance of records and minutes of meetings; the publication or posting of notices; and the general office affairs not otherwise specifically assigned by these Rules.
 - (1) The Board may designate by resolution, an Assistant Secretary, who need not be a member of this Board, to assist the Secretary in the discharge of the duties of that office. The Assistant Secretary shall have no authority to bind the Board.
 - (2) In the event the Secretary becomes disqualified for any reason before the end of the

Secretary's

term, a new Secretary shall be selected.

- (D) The Sheriff of Harrison County, or his designee, shall be the bailiff of the Board.
- (E) Prior to January elections, the Secretary of the Board shall, by letter, request the appropriate authority to designate in writing, by letter to the Board, the person who shall serve as a Board member for the succeeding calendar year.
- (F) All proceedings not governed by specific statutory provision or by rule of this Board shall be conducted in accordance with Robert's Rules of Order. The presiding officer shall be ex-officio parliamentarian.

Article II, Bondsman Licensing

Rule 201, Bondsman Application

Any person desiring to act as a bondsman in any court of Harrison County shall first file with the Board a sworn, completed application on a form approved by the Board and provided by the Secretary. The application must be filed not less than 10 working days, not including the day of filing nor the date of the meeting, prior to the regular or called meeting of the Board at which the Applicant desires the Application be considered. (< Added by amendment 8/31/06, effective 9/11/06) Any person desiring to act as a corporate bondsman must file a separate application for each agent operating under a corporate power of attorney. All applications must demonstrate eligibility for a license under §1704.152 of the Act.

Rule 202, Application Attachments

If the application for a bondsman's license requires an enclosure or an appendix, same shall be firmly affixed to the application and shall be included within the oath as if set forth in the body of the application.

Rule 203, Assumed Name

If an applicant proposes to do business under an assumed name, the applicant shall provide proof showing registration of said assumed name with the County Clerk of Harrison County. A licensee shall not operate under more than one assumed name for a bail bond business in Harrison County at any given time.

Rule 204, Application Requirements

Applications shall be submitted to the Secretary at the office of the Board with an original and thirteen (<Amended 8/31/06, effective 9/11/06) copies. The application shall be accompanied by payment of a fee of \$500.00, two recent passport-sized photographs of the applicant, and a set of fingerprints of the applicant taken by a law enforcement officer on a form approved by the Board and provided by the Sheriff.

Rule 205, Bondsman Investigation

- (A) Upon receiving an application, the Secretary shall conduct an investigation of the applicant to determine whether the applicant meets the requirements of the Act and the Rules.
- (B) Upon completion of such investigation, the Secretary shall furnish a complete copy of all reports together with a copy of the application to each member of the Board not less than five days prior to the meeting at which the application is to be considered.
- (C) Applications shall be considered at each regular meeting of the Board.

Rule 206, Bondsman Appearance

Each applicant shall be notified by the Secretary to appear in person, or in the case of a firm or corporation by designated representative, before the Board on the date his application is to be considered for such interrogation under oath as the Board or any of its members shall deem proper. The Board shall not approve an application unless the applicant has appeared before the Board on at least one occasion.

Rule 207, Application Consideration

Discussion of applicants and applications by the Board shall be in open session.

Rule 208, Tentative Approval & Security Requirements

- (A) The Board shall vote on each application. The Board shall not approve an application unless the applicant has complied with the requirements of the Act and these Rules.
- (B) Upon notice from the Board that an application has been tentatively approved, the applicant shall then:
 - (1) Deposit with the Harrison County Treasurer, a cashier's check, an automatically renewable certificate of deposit, (which shall include an assignment of the principal thereof to the "Harrison County Bail Bond Board", on a form approved by the Board), cash, or cash equivalent in the amount indicated in the licensee's application, but in no event less than \$50,000.00, to be held in a special fund to be called the "Bail Security Fund," subject to the provisions of the Act;
 - (2) Execute to and file on behalf of the Board deed(s) of trust to the property listed by the applicant on his application, which property shall be valued in the amount indicated on an appraisal by a real estate appraiser who is a member in good standing of a nationally recognized professional appraiser society or trade organization that has an established code of ethics, educational program and professional certification program, but in no event less than \$50,000.00 valuation. The conditions of the trust shall be that the deed(s) may be recorded to satisfy any final judgment forfeitures that may be made in bonds on which the licensee is surety after such notice and upon such conditions as are required by the Code of Criminal Procedure, in bond forfeiture cases. The deed(s) of trust, duly

acknowledged, shall be filed in the Deed Records of the County in which the property is located. The applicant shall swear in such deed(s) of trust that the property is free and clear of any and all liens and encumbrances, and that the applicant will keep said property clear of any and all liens and encumbrances so long as it is used as security hereunder. Applicant shall pay the filing fee for the filing of the instrument(s); or

- (3) If the applicant is a corporation, it may, in lieu of cash or other cash equivalent, furnish to the Sheriff an irrevocable letter of credit to satisfy any final judgment of forfeiture that may be made on any bonds on which the corporate licensee is surety. The corporation shall file a power of attorney, designating and authorizing the named agent of such corporation to execute bail bonds, with the County Clerk and present a certified copy of the power of attorney to the Secretary of the Board.

Rule 213, Change in Information

- (A) All licensees shall inform the Board by affidavit of any change in the information contained in their original applications or renewal applications within seven days of the change. A licensee shall immediately inform the Secretary of the Board and the Sheriff in writing if the licensee ceases to be actively engaged in the bail bond business.
- (B) All amending affidavits shall be made under oath by the licensee, stating specifically the provisions of the license sought to be amended, the reasons why said application should be amended, and what the application, after amendment, shall state.
- (C) All amending affidavits shall be submitted to the Secretary of the Board with an original and eleven copies.
- (D) The procedure for consideration of amending affidavits shall be the same as that set forth for an original license under Article II, of the Rules.

Article III, Employees

Rule 301, Employee Application

- (A) “Employee” as used in the Rules, means any person hired by a licensee or corporate agent who performs any of the following duties:
 - (1) Meets or negotiates with members of the public for the purpose of executing bail bonds;
 - (2) Receives anything of value as a fee or as collateral for bail bonds;
 - (3) Presents bail bonds to the Sheriff’s Office for approval; or
 - (4) Interviews or takes information from persons who have been or will be released from jail pursuant to a bond provided by the licensee.
- (B) No licensee shall employ any person who, within the preceding ten years, commits or has committed an offense for which he has been finally convicted, or for which he has been placed on community supervision, adjudicated or for which adjudication of guilt has been deferred, such offense being a felony or a misdemeanor involving moral turpitude. In the

event any Employee shall, during their employment with a licensee, be convicted of, or placed on community supervision, whether adjudicated or deferred adjudication, for a felony or a misdemeanor involving moral turpitude, the licensee shall immediately surrender their Employee Identification Card, and such person shall no longer be allowed to be in the employ of a licensee, except in the case of a person placed on deferred adjudication community supervision, such prohibition shall terminate upon their presenting to the Board an order of the court of jurisdiction over such case that they have successfully completed such community supervision. A person receiving compensation from a licensee within ten years of such a conviction violates Section 1704.302, Texas Occupations Code, a Class "A" misdemeanor. (By Amendment 8/31/06, effective 9/11/06; Amendment of 8/21/08 added language concerning deferred adjudication)

- (C) All employees of licensees must first be approved by the Board. Any person desiring to act as an employee for a bondsman licensed in Harrison County shall first file with the Board a sworn, completed application on a form approved by the Board and provided by the Secretary.

Rule 302, Employee Application Requirements

An original and thirteen copies of an employee application shall be filed with the Secretary of the Board *on or before the Monday of the week preceding the week of the meeting at which the applicant desires consideration.* The employee application shall be accompanied by payment of a fee of \$10.00, two passport-sized photos of the applicant and a set of fingerprints of the applicant taken by a law enforcement official on a form approved by the Board and provided by the Sheriff. (italicized language added by Amendment of October 15, 2009, effective October 26, 2009)

Rule 303, Employee Investigation

- (A) Upon receiving an employee application, the Secretary shall conduct an investigation of the applicant to determine whether the applicant meets the requirements of these Rules.
- (B) Upon completion of such investigation, the Secretary shall furnish a complete copy of all reports together with a copy of the employee application to each member of the Board not less than five days prior to the meeting at which the application is to be considered.
- (C) Employee applications shall be considered at each regular meeting of the Board.

Rule 304, Employee Appearance

Each employee applicant and sponsoring licensee shall be notified by the Secretary to appear in person, or in the case of a firm or corporation by designated representative, before the Board on the date the employee application is to be considered for such interrogation under oath as the Board or any of its members shall deem proper. The Board shall not approve an employee application unless the applicant and sponsoring licensee appear before the Board on at least one occasion.

Rule 305, Issuance of Employee Card

Upon approval of an employee application by the Board, the Secretary shall issue an identification card to the employee. All identification cards issued in any one year shall automatically expire on February 1st of the succeeding year unless renewal applications are timely filed.

Rule 306, Employee Card Renewal

An agent shall file a renewal application for an employee card not more than sixty nor less than thirty days prior to the expiration date of the identification card. Employee renewal applications shall be on a form approved by the Board. The Secretary shall approve the application and issue a new identification card if no member of the Board objects within ten days of receiving a copy of the application for renewal.

Rule 307, Employee List

All licensees shall file a written list of the employee(s) acting on the licensees' behalf with the Secretary of the Board by the 10th day of each month.

Rule 308, Notice of Employee Termination

If a licensee terminates the employment of or if any employee terminates his employment with the licensee, the licensee shall give immediate written notice of such action to the Secretary of the Board and the Sheriff and shall immediately surrender the employee's identification card to the Secretary of the Board, unless good cause be shown why the employee identification card cannot be returned.

Article IV, Giving and Making Bail

Rule 401, Bond Requirements

- (A) No person required to be licensed as a bondsman under the Act or the Rules may execute a bail bond without a license.
- (B) No person required to be authorized to act as an agent of a corporate bondsman under the Rules may execute a bail bond without such authorization.
- (C) A licensee, agent or a corporate licensee or employee must present an identification card issued by the Board each time the person presents a bail bond for the release of a prisoner. No person other than a licensee, agent of corporate licensee or employee may present a bail bond for the release of a prisoner.
- (D) All bonds must be signed by and in the name of the licensee or the corporate agent.

Rule 402, Bondsman and Employee Restrictions

- (A) No licensee, agent or a corporate licensee or employee may, by any means, recommend or suggest to any person for whom the bail bond surety executes a bond, the name of any particular attorney or firm of attorneys for employment in connection with a criminal offense.
- (B) In the course of conducting bail bond business:
 - (1) No licensee, agent of a corporate licensee or employee may promise to provide an attorney to any person seeking bail; and
 - (2) A licensee, agent of a corporate licensee or employee may not recommend or suggest to any attorney or agent of an attorney the name of any person seeking to employ counsel in connection with a criminal offense.
- (C) No person in the bonding business shall, either directly or indirectly, give, donate, lend, contribute, or promise to give, donate, lend or contribute any money or property to an attorney, police officer, sheriff, or deputy, constable, jailer, or employee of a law enforcement agency for the referral of bail bond business.
- (D) No attorney, police officer, constable, deputy, jailer, or employee of a law enforcement agency, judge, or employee of a court, or public official, or employee of a related agency, or any person not shown in the records of the board to be an agent or employee of the bondsman may accept or receive from a bondsman any money, property, or other thing of value as payment for the referral of bail bond business.
- (E) No police officer, sheriff, or deputy, constable, jailer, or employee of a law enforcement agency, judge or employee of a court, or public official or employee of a related agency may recommend to any person the name of any particular bondsman. In all places where prisoners are examined, processed, or confined, a list, as approved by the Board, of licensed bondsmen of this county may be displayed.
- (F) No licensee, agent of a corporate licensee, or employee may solicit business in a police station, jail, prison, detention facility, or other place where persons in custody of law enforcement officials are detained.
- (G) No person may advertise as a bondsman who does not hold a valid license under the Act, and these Rules.
- (H) No licensee, agent of a corporate licensee or employee may receive money or other consideration or thing of value for issuance of bond or undertaking of a surety obligation without issuing a receipt indicating the name of the person paying the money or transferring the property, the amount received or the estimated value of the property received and briefly identifying it, the suit, action, or matter for which it is received or is to be applied, and the name of the person receiving it. The licensee, corporate agent of a licensee, or employee shall retain a duplicate copy of the receipt which shall be available for inspection by representatives of the board of any county in which the bondsman is licensed or by the appointed representatives of a court in which the bondsman agrees to make bail or undertake other surety obligations.
- (I) No person shall falsify any records required to be kept under the Act, or the Rules.

Article V, Exemptions

Rule 501, Oath of Exemption

If any unlicensed person attempts to post bail under an exemption authorized by law, the Sheriff shall first obtain written proof under oath of the exemption. The Sheriff may require further evidence if not fully satisfied as to the sufficiency of the security.

Rule 502, Certification of Attorney/Client Relationship

Attorneys posting bail shall certify that the attorney/client relationship arose under conditions not in violation of the code of professional responsibility or the published rules and regulations of the State Bar of Texas.

Article VI, Records of Licensees

Rule 601, Record of Bonds

A bondsman licensed under the Act shall maintain a record of each bond on which the bondsman appears of surety and shall maintain a separate set of records for each county in which the bondsman is licensed. The records shall include the following information for each bond executed and enforced:

- (1) The style, indictment number, information number, complaint number, arrest number or other identifying number to distinguish this bond from other bonds which may have been made for the same person, and the court in which it is executed;
- (2) The name of the defendant released on bond;
- (3) The amount of bail set in the case;
- (4) The amount and type of security held by the bondsman, together with a statement as to whether the security was taken for payment of a bail bond fee or for assurance of the principal's appearance in court and the conditions under which the security will be returned. No security shall be held for both the payment of a bail bond fee and assurance of the principal's appearance in court that is in excess of the particular risk involved; and
- (5) The current status of the bond as pending, set aside, forfeited or disposed, and if the bond has been forfeited, a record of all outstanding judgments nisi that the bondsman has been served with, including the name of the principal, the cause numbers, the amount of the bond, and the date on which the principal failed to appear.

Rule 602, Inspection of Records

The records shall be available for inspection, (or copying at the Board's expense), on demand by the Board or its authorized representative.

Rule 603, Monthly Reports

Not later than the 10th day of each month, each licensee shall furnish to the Secretary of the Board complete information regarding outstanding bonds on a form approved by the Board. The form for these reports shall be that report generated by the Administrator of the Harrison County Jail reflecting all outstanding bonds for each Licensee. (Last sentence added 10-19-06)

Article VII, Complaints

Rule 701, Complaint Requirements

The Board may, on its own motion, and shall, on receipt of sworn complaint providing reasonable cause to believe that a violation of the Act or the Rules has occurred, or on request of a court, investigate the actions and records relating to such complaint against any bondsman it has licensed. All complaints, other than those considered by the Board on its own motion or at the request of a Court, shall be made under oath and be in writing.

Rule 702, Filing a Complaint

The Secretary of the Board is designated as the agent of the Board for the receipt of complaints.

Rule 703, Processing a Complaint

Upon receipt of a complaint, the Secretary shall send a copy to each member of the Board. The Board shall consider said complaint at the next regularly scheduled meeting of the Board, unless considered earlier at a special or emergency session called by the Chair of the Board, and shall make such orders as it deems appropriate respecting the investigation and prosecution of said complaint.

Rule 704, Notice of Complaint

The Secretary shall give notice to the accused licensee by certified mail at least ten days prior to the date of a hearing on the complaint. The notice shall specify the charges of violation made against the licensee, and the hearing shall be limited to those charges.

Rule 705, Disqualification

If the complaint relates to a licensee who is also a member of the Board, said licensee shall be disqualified as a member of the Board to consider said complaint. The Chair shall call a special session of the Board as soon as practicable for the purpose of election, by a majority of the licensees present at said meeting, of a licensee to serve as a member of the Board in the place and stead of the licensee Board member complained against. The newly elected licensee Board member shall serve at all meetings of the Board respecting such complaint and shall, upon a vote of the majority of the members of the Board, serve as the bail bondsmen's representative on the Board at all meetings of the Board pending the final disposition of the complaint.

Rule 706, Subpoenas

The Board vests authority to issue subpoenas upon the request of any interested person in the Chair, Vice-Chair or Secretary of the Board.

Rule 707, Suspension or Revocation of a License

The Board may, after notice and hearing, suspend or revoke a license or the authority of an agent for:

- (1) Violation of a provision of the Act or the Rules during the term of a license sought to be suspended or revoked or during any prior licensing period;
- (2) Fraudulently obtaining a license under the provisions of the Act or the Rules;
- (3) Making a false statement or misrepresentation in an application for an original or renewal license, or in any hearing before the Board;
- (4) Refusing to answer any question submitted by the Board in a hearing relevant to the license or the conduct or qualifications of the licensee or applicant;
- (3) Final conviction under the laws of this or any other state or of the United States of a misdemeanor involving moral turpitude or of a felony, which offense was committed after August 27, 1973;
- (4) Being adjudged bankrupt or becoming insolvent;
- (5) Being adjudged mentally incompetent;
- (6) Failing to pay any final judgment rendered on any forfeited bond in any court of competent jurisdiction within the county of the licensee, within the time frame set out in §1704.204 of the Act;
- (7) Paying of commissions or fees or dividing commissions or fees or offering to pay or divide commissions or fees with any person, company, firm, or corporation not licensed under the Act or the Rules to execute bonds;
- (8) Soliciting bail bond business at any place where prisoners are examined, processed or confined, and the term "confined" includes being under supervision outside the jail. (Amended at meeting of July 17, 2006)
- (9) Recommending to any client the employment of a particular attorney or firm of attorneys in a criminal case;
- (10) Falsifying, or failing to maintain, a record required under the Act or the Rules;
- (11) Failing promptly to permit the inspection of the records at any time requested by the Board or its representatives or agents;

- (11) Operating as a bondsman while the license is suspended or after it has expired and before it is renewed; and
- (12) On more than one occasion failing to maintain the minimum amount of security required by this Act or misrepresenting to any official or employee of the official the limit supported by the amount of security to obtain the release of any person on bond.

Article VIII, Record and Security Requirements and Limits

Rule 801, Security Requirements

No bondsman may execute bail bonds that in the aggregate exceed the limits expressed in §1704.203 of the Act. It shall be the duty of each bondsman to keep account of the amount of bail bonds that he or his agents have written and to keep account of the amount of judgments nisi outstanding against him so as to insure his compliance with these requirements. A bondsman may, at any time during a period in which his license is in good standing, post additional security to increase his limits.

Rule 802, Record of Outstanding Bonds

The Sheriff, or the Administrator of the Harrison County Jail, if designated by the Sheriff, shall maintain a running total of all licensees' potential liability on bonds in force.

Rule 803, Violation of Security Requirements

- (A) If the Board's designee, as set out in Rule 802, determines that a licensee has failed to maintain security at the proper ratio as required by the Act and the Rules, the Board's designee shall immediately notify the licensee and the Secretary. The Chair shall call an emergency meeting of the Board to consider suspension of the licensee's license. If the Board be satisfied that the licensee is in violation of the security requirements of the Act or the Rules, the Board shall enter an order suspending the license while the violation continues. If the Board finds that licensee not to be in violation of the security requirement of the Act or the Rules, it shall so find and the licensee may thereafter write bonds.
- (B) Execution of bail bonds by the licensee or his agents after service upon the licensee of written notice of the Board's action in suspending the license, while the suspension remains in effect, shall be grounds for revocation of the license.
- (C) Whenever the Board's Rule 802 designee determines that a licensee whose license has been suspended hereunder is no longer in violation of the security requirements of the Act or the Rules, the Board's designee shall immediately notify in writing the Secretary and the licensee. Any order of suspension hereunder shall automatically terminate upon filing of written notice by such Board's designee that the licensee is no longer in violation of the security requirements of the Act and the Rules.

Article IX, Licensee and Employee Information

Rule 901, Bondsman List

- (A) The Board shall publish a list of licensees and corporate agents, alphabetically by proper name, and showing the business address and telephone number of each licensee or corporate agent. The Board shall also publish a list of employees of licensed bondsmen according to the alphabetical listing of licensees. Only those lists approved and supplied by the Board shall be posted. These lists, once posted, are subject to examination by any member of the Board as deemed necessary.
- (B) The published list of licensed bondsmen and their agents shall be furnished to and posted by each Court in the County having jurisdiction of criminal cases and each local official responsible for the detention of prisoners in the County.
- (C) No Sheriff, peace officer, or his deputy, or employee or clerk, or deputy clerk of any court will permit any identifying mark to be made on such published list. If the published list be so marked, it shall be the responsibility of said peace officer or clerk to obtain a new unmarked list for display.
- (D) If, as, and when a new license is issued, the new licensee may be added to the published list in an inconspicuous manner until the next list be published by the Secretary or the Assistant Secretary.
- (E) No unlicensed person (even those exempt from licensing) may be placed on the list.

Rule 902, Advertising Location

No bondsman (licensed or exempt) shall place or permit to be placed, any advertising at any place where prisoners are examined, processed or confined. The dissemination of personal or professional cards shall be deemed advertising.

Rule 903, Telephone Advertising

Telephone directory advertising for licensees shall be listed in the proper name of the licensee and may contain assumed or corporate name.

Rule 904, Advertising Restriction

Advertising for a licensee shall not contain any representation that he is associated with any attorney or any firm that engages in investigative services.

Rule 905, Office Location

- (A) A licensee shall maintain an office in Harrison County.

- (B) Not later than the seventh (7th) day after the date a licensee opens a new office or moves an office to a new location, the licensee shall notify the Secretary of the Board of the new location.

Article X, Miscellaneous

Rule 1001, Effective Date

The Rules and any amendments shall be effective ten days after being approved and posted by the Board.

Rule 1002, Severability

If any provision of these Rules and Regulations or the application hereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Rules which can be given effect without the invalid provision or application, and to this end, the provisions of the Rules are declared severable.

Rule 1003, Conformity Clause

It is the purpose of the Rules to conform in their entirety with the Act. If there be any conflict between the Rules and the Act, the Act shall control.

APPROVED AND ADOPTED initially on April 27, 2006, and amended as set out above.