
By: Delegates Fulton and Opara

Requested: November 15, 1996

Introduced and read first time: January 8, 1997

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Bail Bonds - Searchers for Fugitive Defendants - Qualifications**

3 FOR the purpose of prohibiting a person who has been convicted of a felony from
4 engaging in the business of securing the arrest, apprehension, or surrender of a
5 defendant who violates a condition of a bail bond; making certain stylistic changes;
6 and generally relating to persons who search for defendants who fail to comply with
7 the terms of their bail bonds.

8 BY repealing and reenacting, with amendments,
9 Article - Insurance
10 Section 10-305
11 Annotated Code of Maryland
12 (1995 Volume and 1996 Supplement)
13 (As enacted by Chapter 36 of the Acts of the General Assembly of 1995)

14 BY repealing and reenacting, with amendments,
15 Article 27 - Crimes and Punishments
16 Section 616 1/2(f)(1)
17 Annotated Code of Maryland
18 (1996 Replacement Volume)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article - Insurance**

22 10-305.

23 An applicant for a license WHO INTENDS TO PROVIDE BAIL BONDSMAN
24 SERVICES IN THE STATE must:

25 (1) [be an individual who meets] MEET the requirements for acting as a
26 property and casualty agent or broker under Subtitle 1 of this title; AND

27 (2) BE WITHOUT A FELONY CONVICTION.

2

1 **Article 27 - Crimes and Punishments**

2 616 1/2.

3 (f) (1) (I) The circuit courts for each of the counties are authorized to
4 prescribe by rule of court the terms and conditions of bail bonds filed in the circuit court
5 for each county respectively.

6 (II) [This] SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH,
7 THIS power includes but is not limited to prescribing the qualifications of and fees
8 charged by bondsmen.

9 (III) A PERSON WHO HAS BEEN CONVICTED OF A FELONY MAY NOT
10 ENGAGE IN THE BUSINESS OF SECURING THE ARREST, APPREHENSION, OR
11 SURRENDER OF A DEFENDANT WHO VIOLATES A CONDITION OF A BAIL BOND.

12 (IV) A bond commissioner may be appointed to administer the rules of
13 court adopted pursuant to this section.

14 (V) Violations of any rule of court promulgated hereunder shall be
15 considered contempt of court and punished as for contempt.

16 (VI) In addition, a person may not engage in the business of becoming
17 surety for compensation on bonds in criminal cases until [he shall have been] THE
18 PERSON IS approved by such rules as the circuit court may have adopted and, if required
19 under the provisions of Article 48A of the Code, licensed in accordance with Article 48A
20 of the Code.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 1997.