

SENATE BILL 571

C4

8lr2247

By: **Senator Astle**

Introduced and read first time: February 1, 2008

Assigned to: Finance

Committee Report: Favorable

Senate action: Adopted

Read second time: March 5, 2008

CHAPTER _____

1 AN ACT concerning

2 **Surety Insurers – Failure to Pay Bail Bond Judgment – Penalties**

3 FOR the purpose of providing that a surety insurer that is precluded or removed from
4 a certain list by a circuit court due to failure to timely resolve or satisfy certain
5 bail bond forfeitures shall be subject to certain penalties; requiring a clerk of a
6 circuit court to notify the Maryland Insurance Commissioner of the names of
7 certain surety insurers and certain bond forfeitures at a certain time; and
8 generally relating to failure of a surety insurer to pay bail bond judgments.

9 BY repealing and reenacting, with amendments,
10 Article – Insurance
11 Section 21–103
12 Annotated Code of Maryland
13 (2006 Replacement Volume and 2007 Supplement)

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

16 **Article – Insurance**

17 21–103.

18 (a) A surety insurer that is removed by the District Court from the list of
19 surety insurers eligible to post bonds with the court because that surety insurer failed
20 to timely resolve or satisfy one or more bail bond forfeitures appearing on the District

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Court's list of absolute bond forfeitures in default shall be subject to the penalties
2 under § 4-113 of this article.

3 **(B) A SURETY INSURER THAT IS PRECLUDED OR REMOVED BY A**
4 **CIRCUIT COURT FROM THE LIST OF SURETY INSURERS ELIGIBLE TO POST**
5 **BONDS WITH ANY CIRCUIT COURT BECAUSE THAT SURETY INSURER FAILED TO**
6 **TIMELY RESOLVE OR SATISFY ONE OR MORE BAIL BOND FORFEITURE**
7 **JUDGMENTS SHALL BE SUBJECT TO THE PENALTIES UNDER § 4-113 OF THIS**
8 **ARTICLE.**

9 [(b)] (C) Within 14 days after the failure of a surety insurer to resolve or
10 satisfy all bond forfeitures in default by the District Court's **OR CIRCUIT COURT'S**
11 deadline, the [District Court] clerk **OF THE APPLICABLE COURT** shall notify the
12 Commissioner, in writing, of the name of that surety insurer and each bond forfeiture
13 that was not resolved or satisfied by the [District Court] **APPLICABLE COURT'S**
14 deadline.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2008.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.