

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

HOUSE BILL 1386

5 By: Representatives H. Wilkins, Hall, Lovell, T. Steele, B. Wilkins
6 By: Senators J. Jeffress, M. Lamoureux
7

For An Act To Be Entitled

9 AN ACT REGARDING THE PROFESSIONAL BAIL BOND COMPANY
10 AND PROFESSIONAL BAIL BONDSMAN LICENSING BOARD; TO
11 DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.
12
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Subtitle

14 REGARDING THE PROFESSIONAL BAIL BOND
15 COMPANY AND PROFESSIONAL BAIL BONDSMAN
16 LICENSING BOARD AND TO DECLARE AN
17 EMERGENCY.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 17-19-106 is amended to read as follows:
24 17-19-106. Professional Bail Bond Company and Professional Bail
25 Bondsman Licensing Board.

26 (a) This section may be cited as the "Arkansas Professional Bail Bond
27 Company and Professional Bail Bondsman Licensing Act".

28 (b)(1) There is hereby created the Professional Bail Bond Company and
29 Professional Bail Bondsman Licensing Board.

30 (2)(A) The board shall be composed of ~~eight (8)~~ ten (10) members
31 to be appointed by the Governor for terms of ~~seven (7)~~ three (3) years.

32 (B) Vacancies shall be filled by appointment of the
33 Governor for the unexpired portion of the term.

34 (3)(A) Three (3) members of the board shall be licensed bail
35 bond company owners, one (1) a municipal chief of police, one (1) a county
36 sheriff, one (1) a municipal or circuit judge, and ~~two (2)~~ four (4) shall be



1 residents of the state who are not a bail bond company agent, a bail bond
 2 company owner, an elected judge, a sheriff, or a chief of police.

3 (B)(i) No two (2) of the three (3) bail bondsman members
 4 shall reside in the same congressional district.

5 (ii) At least one (1) board member shall be an
 6 African-American.

7 (iii) At least one (1) board member shall be a
 8 female.

9 (4)(A) The Governor shall appoint the president or chairperson
 10 of the board from the sitting members of the board.

11 (B) The president or chairperson of the board shall not be
 12 a licensed bail bond company owner or agent.

13 ~~(4)(5)~~ The board shall have the authority and responsibility to
 14 administer and enforce the provisions of this chapter relating to licensing
 15 and regulation of professional bail bond companies and professional bail
 16 bondsmen.

17 ~~(5)(6)~~ The board shall have the authority to adopt and enforce
 18 ~~such~~ reasonable rules and regulations as it shall determine ~~to be~~ necessary
 19 to enable it to effectively and efficiently carry out its official duty of
 20 licensing and regulating professional bail bond companies and professional
 21 bail bondsmen.

22 (c) The members of the board shall receive expense reimbursement in
 23 accordance with § 25-16-901 et seq., and a stipend ~~pursuant to~~ under § 25-16-
 24 904.

25 ~~The provisions of this~~ This section shall not be ~~construed to~~
 26 repeal any laws in effect on August 13, 1993, relating to the licensing and
 27 regulation of professional bail bond companies and professional bail
 28 bondsmen, but ~~such~~ the laws shall remain in full force and effect and shall
 29 be administered by the board created ~~herein~~ by this section.

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 31 SECTION 2. EMERGENCY CLAUSE. It is hereby found and determined by the
 32 General Assembly of the State of Arkansas that the current makeup of the
 33 Professional Bail Bond Company and Professional Bail Bondsman Licensing Board
 34 needs to be changed; that current board members serve terms that are longer
 35 than necessary and that there are not enough members of the general public on
 36 the board; and that this act is immediately necessary because the current

1 makeup of the board is unsustainable. Therefore, an emergency is declared to
2 exist and this act being immediately necessary for the preservation of the
3 public peace, health, and safety shall become effective on:

4 (1) The date of its approval by the Governor;

5 (2) If the bill is neither approved nor vetoed by the Governor,
6 the expiration of the period of time during which the Governor may veto the
7 bill; or

8 (3) If the bill is vetoed by the Governor and the veto is
9 overridden, the date the last house overrides the veto.

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