

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

# A Bill

SENATE BILL 698

5 By: Senator B. Ballinger  
6 By: Representative Richmond  
7

## For An Act To Be Entitled

8 AN ACT CONCERNING BAIL BONDS; AND FOR OTHER PURPOSES.  
9  
10  
11

### Subtitle

12 CONCERNING BAIL BONDS.  
13  
14  
15

16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
17

18 SECTION 1. Arkansas Code § 17-19-105 is amended to read as follows:  
19 17-19-105. Prohibitions.

20 No professional bail bondsman or professional bail bond company, nor  
21 court, nor law enforcement officer, nor any individual working on behalf of a  
22 professional bail bondsman or professional bail bond company, shall:

23 (1) Require as a condition of his or her executing a bail bond  
24 that the principal agree to engage the services of a specified attorney;

25 (2) Solicit business or advertise for business in or about any  
26 place where prisoners are confined or in or about any court;

27 (3) Suggest or advise the engagement of any bail bond company or  
28 professional bail bondsman to underwrite a bail bond;

29 (4) Enter a police station, jail, sheriff's office, or other  
30 place where persons in custody of the law are detained for the purpose of  
31 obtaining employment as a professional bail bondsman or professional bail  
32 bond company, without having been previously called by a person so detained  
33 or by some relative or other authorized person acting for or in behalf of the  
34 person so detained. Whenever such an entry occurs, the person in charge of  
35 the facility shall be given and promptly record the mission of the licensee  
36 and the name of the person calling the licensee and requesting him or her to



1 come;

2 (5) Pay a fee or rebate or give or promise anything of value to:

3 (A) A jailer, police officer, peace officer, committing  
4 magistrate, or any other person who has power to arrest or to hold in  
5 custody; or

6 (B) Any public official or public employee in order to  
7 secure a settlement, compromise, remission, or reduction of the amount of any  
8 bail bond or estreatment thereof;

9 (6) Pay a fee or rebate or give anything of value to an attorney  
10 in bail bond matters, except in defense of any action on a bond;

11 (7) Pay a fee or rebate or give or promise anything of value to  
12 the principal or anyone in his or her behalf;

13 (8)(A) Participate in the capacity of an attorney at a trial or  
14 hearing of one on whose bond he or she is surety;

15 (B) Attempt to obtain settlement or dismissal of a case;

16 (C) Give or attempt to give any legal advice to one on  
17 whose bond he or she is surety; ~~or~~

18 (9) Accept anything of value from a principal except the  
19 premium, provided that the licensee shall be permitted to accept collateral  
20 security or other indemnity from the principal which shall be returned upon  
21 final termination of liability on the bond. The collateral security or other  
22 indemnity required by the licensee must be reasonable in relation to the  
23 amount of the bond; or

24 (10) Permit a bail bond to be executed to effect the release of  
25 a defendant without the bondsman being physically present.

26

27 SECTION 2. Arkansas Code § 17-19-201(b), concerning bail bond  
28 licenses, is amended to read as follows:

29 (b) A professional bail bondsman shall not execute, ~~or~~ issue, or  
30 deliver an appearance bond in this state without holding a valid appointment  
31 from a professional bail bond company and without attaching to the appearance  
32 bond an executed and numbered power of attorney referencing the professional  
33 bail bond company.

34

35

APPROVED: 4/29/21

36