

Chapter 383

(House Bill 573)

AN ACT concerning

Criminal Procedure – Bail Bondsman Solicitation – Penalty

FOR the purpose of prohibiting an employee of a courthouse or correctional facility from performing certain acts on the grounds of a courthouse or correctional facility; clarifying that a certain person at a certain location may not approach, entice, or invite a person to use the services of a specific bail bondsman; altering the penalties for a violation of this Act; and generally relating to bail bondsmen.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 5–210
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

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

Article – Criminal Procedure

5–210.

(a) (1) In this section the following words have the meanings indicated.

(2) “Agent” means a person that acts or is authorized to act as the representative of a bail bondsman.

(3) (i) “Bail bondsman” means a licensed limited surety agent or a licensed professional bail bondsman.

(ii) “Bail bondsman” does not include a person that contracts with a public agency to provide bail bonds to persons detained in a correctional facility.

(b) On the grounds of a courthouse or correctional facility, a bail bondsman [or], an agent of a bail bondsman, **AN EMPLOYEE OF THE COURTHOUSE, OR AN EMPLOYEE OF A CORRECTIONAL FACILITY** may not:

(1) approach, entice, or invite a person to use the services of a **SPECIFIC** bail bondsman;

(2) distribute, display, or wear an item that advertises the services of a bail bondsman; or

(3) otherwise solicit business as a bail bondsman.

(c) A person who violates subsection (b) of this section is guilty of a misdemeanor and on conviction is subject to:

(1) a fine not exceeding **[\$100] \$2,500, AND IF LICENSED IN ACCORDANCE WITH THE INSURANCE ARTICLE, A 30-DAY LICENSE SUSPENSION** for a first offense; and

(2) a fine not exceeding **[\$1,000] \$5,000, AND IF LICENSED IN ACCORDANCE WITH THE INSURANCE ARTICLE, A 90-DAY LICENSE SUSPENSION** for a subsequent offense.

(d) A person convicted of a violation of subsection (b) of this section shall be referred to the Insurance Commissioner for appropriate action.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2012.

Approved by the Governor, May 2, 2012.