

State of South Dakota

EIGHTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2013

571U0125

SENATE JUDICIARY ENGROSSED NO. **HB 1130** 02/28/2013

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: Representatives Hickey, Bolin, Craig, Cronin, Ecklund, Erickson, Feinstein, Gibson, Gosch, Haggar (Jenna), Hajek, Hawks, Hoffman, Hunhoff (Bernie), Johns, Lust, Mickelson, Munsterman, Rounds, Rozum, Russell, Schoenfish, Stalzer, Stevens, and Verchio and Senators Kirkeby, Hunhoff (Jean), Jensen, Krebs, Lederman, Lucas, Maher, Otten (Ernie), Soholt, Tidemann, and Van Gerpen

1 FOR AN ACT ENTITLED, An Act to define certain terms relating to bail bonds.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 58-22-1 be amended to read as follows:

4 58-22-1. ~~The following words when Terms used in this chapter shall have the following~~
5 ~~meanings~~ mean:

6 (1) "Bail bond," cash, property or surety given to obtain a defendant's release;

7 (1A) "Bail bondsman," shall mean a surety bondsman, professional bondsman, or a
8 property bondsman ~~as hereinafter defined;~~

9 (1B) "Cash," the coins and bills issued by the government of the United States and does
10 not include the transfer of funds electronically;

11 (2) "Insurer," ~~shall mean~~ any domestic, foreign, or alien surety company which has
12 qualified generally to transact surety business and specifically to transact bail bond



1 business in this state;

2 (3) "Professional bondsman₁" ~~shall mean~~ any person who has been approved by the
3 director and who pledges cash or approved unregistered bonds as security for a bail
4 bond in connection with a judicial proceeding and receives or is promised money or
5 other things of value;

6 (4) "Property bondsman₁" is a person who pledges real or other property as security for
7 a bail bond in a judicial proceeding and who receives or is promised money or other
8 things of value therefor;

9 (5) "Runner₁" ~~shall mean~~ a person employed by a bail bondsman for the purpose of
10 assisting the bail bondsman in presenting the defendant in court when required or to
11 assist in apprehension and surrender of defendant to the court, or keeping defendant
12 under necessary surveillance. This does not affect the right of a bail bondsman to hire
13 counsel or to ask assistance of law enforcement officers;

14 (6) "Surety bondsman₁" ~~shall mean~~ any person who has been approved by the director
15 and appointed by an insurer by power of attorney to execute or countersign bail
16 bonds for the insurer in connection with judicial proceedings and who receives or is
17 promised money or other things of value therefor.