

hbd-22

Amendment No. 2 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Garcia offered the following:

Amendment

On page 4, line 3 through page 5, line 11,
remove: all of said lines

and insert:

Section 2. Section 648.25, Florida Statutes, is amended to read:

648.25 Definitions.--~~As The following words when used in this chapter, the term have the meanings respectively ascribed to them in this section:~~

(1) "Bail bond agency" means:

(a) The building where a licensee maintains an office and where all records required by ss. 648.34 and 648.36 are maintained; or

(b) An entity that:

1. Charges a fee or premium to release an accused defendant or detainee from jail; or

2. Engages in or employs others to engage in any activity that may be performed only by a licensed and

1 appointed bail bond agent.

2 (2)~~(1)~~ "Bail bond agent" means a limited surety agent
3 or a professional bail bond agent as hereafter defined.

4 (3)~~(2)~~ "Department" means the Department of Insurance.

5 (4)~~(3)~~ "Managing general agent" means any individual,
6 partnership, association, or corporation appointed or employed
7 by an insurer to supervise or manage the bail bond business
8 written in this state by limited surety agents appointed by
9 the insurer.

10 (5)~~(4)~~ "Insurer" means any domestic, foreign, or alien
11 surety company which has been authorized to transact surety
12 business in this state.

13 ~~(5) "Agency" means any business location at which a
14 licensed and appointed bail bond agent engages in any activity
15 or employs individuals to engage in any activity which by law
16 may be performed only by a licensed and appointed bail bond
17 agent.~~

18 (6) "Limited surety agent" means any individual
19 appointed by an insurer by power of attorney to execute or
20 countersign bail bonds in connection with judicial proceedings
21 who receives or is promised money or other things of value
22 therefor.

23 (7) "Primary bail bond agent" means a licensed bail
24 bond agent who is responsible for the overall operation and
25 management of a bail bond agency location and whose
26 responsibilities include hiring and supervising all
27 individuals within that location. A bail bond agent may be
28 designated as primary bail bond agent for only one bail bond
29 agency location.

30 (8)~~(7)~~ "Professional bail bond agent" means any person
31 who pledges United States currency, United States postal money

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1 orders, or cashier's checks as security for a bail bond in
2 connection with a judicial proceeding and receives or is
3 promised therefor money or other things of value.

4 ~~(8) "Runner" means a person employed by a bail bond
5 agent, insurer, or managing general agent for the purpose of
6 assisting the bail bond agent in presenting the defendant in
7 court when required or employed by the bail bond agent to
8 assist in the apprehension and surrender of the defendant to
9 the court or keeping the defendant under necessary
10 surveillance. This does not affect the right of a bail bond
11 agent or insurer to hire counsel or to obtain the assistance
12 of law enforcement officers.~~

13 (9) "Temporary bail bond agent" means a person
14 employed by a bail bond agent or agency, insurer, or managing
15 general agent, and such licensee has ~~shall have~~ the same
16 authority as conferred and authorized by law upon a licensed
17 bail bond agent, including which shall include presenting
18 defendants in court; apprehending, arresting, and
19 surrendering defendants to the proper authorities, while
20 accompanied by a supervising bail bond agent or an agent from
21 the same agency; and keeping defendants under necessary
22 surveillance. However, a temporary licensee may not ~~shall not~~
23 ~~have the authority to~~ execute or sign bonds, handle collateral
24 receipts, or deliver bonds to appropriate authorities. A
25 temporary licensee may not operate an agency or branch agency
26 separate from the location of the supervising bail bond agent,
27 managing general agent, or insurer by whom the licensee is
28 employed. This does not affect the right of a bail bond agent
29 or insurer to hire counsel or to obtain the assistance of law
30 enforcement officers.

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