

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 587 By: Shortey of the Senate
3 and
4 Montgomery of the House
5
6
7

8 [Bail Enforcement and Licensing Act - nonresidents
9 apprehending of persons and assisting other bondsmen -
10 exceptions - license requirements - effective date]
11

12 AMENDMENT NO. 1. Strike the stricken title, enacting clause and
13 entire bill and insert
14

15 "[Bail Enforcement and Licensing Act - modifying
16 certain exceptions - modifying certain license
17 requirements - effective date]
18
19

20 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

21 SECTION 1. AMENDATORY 59 O.S. 2011, Section 1750.14, as
22 last amended by Section 12, Chapter 373, O.S.L. 2014 (59 O.S. Supp.
23 2014, Section 1750.14), is amended to read as follows:
24

1 Section 1750.14 A. Except as provided in subsection C or D of
2 this section, any person who is not a resident of this state who
3 intends to apprehend in this state, or attempts to apprehend, a
4 defendant who has failed to appear before any court of this state or
5 another state or any federal court as required by law and has
6 forfeited bail or for purposes of apprehending a defendant prior to
7 breach of an undertaking or bail contract, shall be required to have
8 a client contract with a bail enforcer licensed in this state or to
9 be a licensed bail enforcer in this state prior to such apprehension
10 or to be accompanied at the time of the apprehension by a peace
11 officer.

12 B. Any person who violates the provisions of this section shall
13 be guilty of a violation of the Bail Enforcement and Licensing Act
14 and shall be punished as provided in Section ~~3~~ 1350.2 of this ~~act~~
15 title.

16 C. The provisions of this section shall not apply to law
17 enforcement officers of any jurisdiction.

18 D. The provisions of this section shall not apply to licensed
19 bondsmen in this state appointed by an insurer doing business in
20 this state with regard to a defendant on a bond posted by that
21 insurer, ~~;~~ provided, the appointed bondsman has been ~~continuously~~
22 licensed in this state for a period of five (5) years or more
23 ~~beginning on the effective date of this act.~~

24

1 SECTION 2. AMENDATORY Section 13, Chapter 373, O.S.L.
2 2014 (59 O.S. Supp. 2014, Section 1311.4), is amended to read as
3 follows:

4 Section 1311.4 Notwithstanding any provision of the Bail
5 Enforcement and Licensing Act to the contrary, a licensed ~~bondsman~~
6 bondsman in this state may seek assistance from, or provide
7 assistance to, another licensed bondsman in this state or another
8 state for purposes of apprehension and surrender of their defendant
9 client whose undertaking or bail contract was written by the
10 licensed bondsman or a bondsman appointed by an insurer doing
11 business in this state; provided, the licensed bondsmen have had a
12 ~~continuously valid licensed~~ license for five (5) or more years
13 ~~beginning the effective date of this act.~~ The bondsman licensed in
14 this state shall be required to obtain and maintain proof of the
15 other bondsman's valid license and license duration requirement
16 prior to permitting such person to engage in any act requiring a
17 license in this state.

18 SECTION 3. This act shall become effective November 1, 2015."
19
20
21
22
23
24

1 ENGROSSED SENATE
2 BILL NO. 587

By: Shortey of the Senate

3 and

4 Montgomery of the House

5
6
7 [Bail Enforcement and Licensing Act - nonresidents
8 apprehending of persons and assisting other bondsmen -
9 exceptions - license requirements - effective date]

10 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

11 SECTION 4. AMENDATORY 59 O.S. 2011, Section 1750.14, as
12 last amended by Section 12, Chapter 373, O.S.L. 2014 (59 O.S. Supp.
13 2014, Section 1750.14), is amended to read as follows:

14 Section 1750.14. A. Except as provided in subsection C or D of
15 this section, any person who is not a resident of this state who
16 intends to apprehend in this state, or attempts to apprehend, a
17 defendant who has failed to appear before any court of this state or
18 another state or any federal court as required by law and has
19 forfeited bail or for purposes of apprehending a defendant prior to
20 breach of an undertaking or bail contract, shall be required to have
21 a client contract with a bail enforcer licensed in this state or to
22 be a licensed bail enforcer in this state prior to such apprehension
23 or to be accompanied at the time of the apprehension by a peace
24 officer.

1 B. Any person who violates the provisions of this section shall
2 be guilty of a violation of the Bail Enforcement and Licensing Act
3 and shall be punished as provided in Section ~~3~~ 1350.3 of this ~~act~~
4 title.

5 C. The provisions of this section shall not apply to law
6 enforcement officers of any jurisdiction.

7 D. The provisions of this section shall not apply to licensed
8 bondsmen in this state appointed by an insurer doing business in
9 this state with regard to a defendant on a bond posted by that
10 insurer; ~~provided,~~ provided, the appointed bondsman has been ~~continuously~~
11 licensed in this state for a period of five (5) years or more
12 ~~beginning on the effective date of this act.~~

13 SECTION 5. AMENDATORY Section 13, Chapter 373, O.S.L.
14 2014 (59 O.S. Supp. 2014, Section 1311.4), is amended to read as
15 follows:

16 Section 1311.4. Notwithstanding any provision of the Bail
17 Enforcement and Licensing Act to the contrary, a licensed bondman in
18 this state may seek assistance from, or provide assistance to,
19 another licensed bondsman in this state or another state for
20 purposes of apprehension and surrender of their defendant client
21 whose undertaking or bail contract was written by the licensed
22 bondsman or a bondsman appointed by an insurer doing business in
23 this state; provided, the licensed bondsmen have had a ~~continuously~~
24 ~~valid licensed~~ license for five (5) or more years ~~beginning the~~

1 ~~effective date of this act.~~ The bondsman licensed in this state
2 shall be required to obtain and maintain proof of the other
3 bondsman's valid license and license duration requirement prior to
4 permitting such person to engage in any act requiring a license in
5 this state.

6 SECTION 6. This act shall become effective November 1, 2015.

7 Passed the Senate the 11th day of March, 2015.

8

9

Presiding Officer of the Senate

10

11 Passed the House of Representatives the ____ day of _____,

12 2015.

13

14

Presiding Officer of the House
of Representatives

15

16

17

18

19

20

21

22

23

24