SENATE BILL NO. 2867

AN ACT TO AMEND SECTION 83-39-5, MISSISSIPPI CODE OF 1972, TO REVISE PROVISIONS REGARDING LICENSING TO REQUIRE CRIMINAL BACKGROUND CHECKS; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 83-39-5, Mississippi Code of 1972, is amended as follows:

83-39-5. Any person desiring to engage in the business of professional bail agent, soliciting bail agent, or bail enforcement agent in this state shall apply to the department for a license on forms prepared and furnished by the department. The application for a license, or renewal thereof, shall set forth, under oath, the following information:

(a) Full name, age, date of birth, social security number, residence during the previous five (5) years, occupation and business address of the applicant.

(b) Spouse's full name, occupation and business address.

(c) A photograph of the applicant and a full set of fingerprints for the initial application only; a photograph of the applicant and a full set of fingerprints are not required for renewal except when requested by the department.

(d) A report from the sheriff of the applicant's county of residence or the Department of Public Safety that the applicant has no felony record nor any misdemeanor involving moral turpitude on file with the United States Federal Bureau of Investigation for the initial application only; the report is not required for renewal except when requested by the department.
(e) Proof of having successfully completed prelicense or continuing education required under Section 83-39-1.

(f) A statement that he is not licensed to practice law in the State of Mississippi or any other state and that no attorney or any convicted felon has any interest in his application, either directly or indirectly.

(g) Any other information as may be required by this chapter or by the department.

(h) In the case of a professional bail agent, a statement that he will actively engage in the bail bond business.

(i) In the case of a soliciting bail agent, a statement that he will be employed or used by only one (1) professional bail agent and that the professional bail agent will supervise his work and be responsible for his conduct in his work. A professional bail agent shall sign the application of each soliciting bail agent employed or used by him.

Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64, Mississippi Code of 1972.

SECTION 2. This act shall take effect and be in force from and after its passage.