

By: Senator(s) Minor

To: Judiciary

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2501

1 AN ACT TO AMEND SECTION 83-39-29, MISSISSIPPI CODE OF 1972,
2 TO REVISE PROVISIONS REGARDING PERSONS IMPERSONATING BAIL AGENTS;
3 AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 83-39-29, Mississippi Code of 1972, is
6 amended as follows:

7 83-39-29. The department may provide information to the
8 district attorney in the district in which a professional bail
9 agent, a soliciting bail agent or bail enforcement agent is
10 domiciled so that proper legal action may be pursued against any
11 licensee who is alleged to have violated any provision of Chapter
12 39 of Title 83. Such licensee is guilty of a misdemeanor and
13 shall be subject to a fine of not more than One Thousand Dollars
14 (\$1,000.00), imprisonment in the county jail for not more than one
15 (1) year, or both. Any insurer violating any provision of Chapter
16 39 of Title 83 may be fined in an amount not to exceed Fifty
17 Thousand Dollars (\$50,000.00).

18 Any person who acts or attempts to solicit, write or present
19 a bail bond as a professional bail agent, soliciting bail agent,
20 or bail enforcement agent as defined in this chapter and who is
21 not licensed under this chapter is guilty of a misdemeanor and,
22 upon conviction, shall be subject to a fine of not more than One
23 Thousand Dollars (\$1,000.00), imprisonment in the county jail for
24 not more than one (1) year, or both.

25 Any person who acts or attempts to act or represents himself
26 to be, or impersonates a professional bail agent, a soliciting
27 bail agent or a bail enforcement agent, as defined in this chapter



28 by attempting to arrest or detaining any person and who is not
29 licensed under this chapter is guilty of a felony and, upon
30 conviction, shall be subject to a fine of not more than Ten
31 Thousand Dollars (\$10,000.00), imprisonment for not more than five
32 (5) years, or both.

33 A bail agent, bail enforcement agent or bail enforcement
34 agent from another state shall report to the Sheriff's Department
35 of the county in which he is attempting to locate a fugitive prior
36 to beginning to look for the fugitive to prove his licensing and
37 legal right to the fugitive. Failure to prove licensing shall be
38 an offense punishable by a fine not to exceed One Thousand Dollars
39 (\$1,000.00).

40 Any person charged with a misdemeanor who has obtained his
41 release from custody by having a professional bail agent, insurer,
42 agent of such bail agent or insurer, or any person other than
43 himself furnish his bail bond and who fails to appear in court, at
44 the time and place ordered by the court, is guilty of
45 "bondjumping" and, upon conviction, shall be subject to a fine of
46 not more than One Thousand Dollars (\$1,000.00), imprisonment in
47 the county jail for not more than one (1) year, or both, and
48 payment of restitution for reasonable expenses incurred returning
49 the defendant to court.

50 **SECTION 2.** This act shall take effect and be in force from
51 and after July 1, 2003.

