SENATE BILL NO. 2501
(As Sent to Governor)

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

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

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

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

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

Any person who acts or attempts to act or represents himself
to be, or impersonates a professional bail agent, a soliciting
bail agent or a bail enforcement agent, as defined in this chapter
by attempting to arrest or detaining any person and who is not licensed under this chapter is guilty of a misdemeanor and, upon conviction, shall be subject to a fine of not more than Five Thousand Dollars ($5,000.00), imprisonment for not more than one (1) year, or both.

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

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

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