

By: Representatives Rogers (61st),
Weathersby

To: Judiciary B

HOUSE BILL NO. 1126

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

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

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

7 83-39-5. Any person desiring to engage in the business of
8 professional bail agent, soliciting bail agent or bail enforcement
9 agent in this state shall apply to the department for a license on
10 forms prepared and furnished by the department. The application
11 for a license, or renewal thereof, shall set forth, under oath,
12 the following information:

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

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

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

22 (d) A report from the sheriff of the applicant's county
23 of residence or the Department of Public Safety that the applicant
24 has no felony record nor any misdemeanor involving moral turpitude
25 on file with the United States Federal Bureau of Investigation for
26 the initial application only. The report is not required for
27 renewal except when requested by the department.

28 (e) Proof of having successfully completed prelicense
29 or continuing education required under Section 83-39-1.

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

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

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

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

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

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