

By: Senator(s) Ross

To: Judiciary, Division B

SENATE BILL NO. 2054

1 AN ACT TO AMEND SECTION 83-39-25, MISSISSIPPI CODE OF 1972,  
2 TO REQUIRE BAIL AGENTS TO PLACE THE FULL BAIL BOND PREMIUM AMOUNT  
3 IN A TRUST ACCOUNT UNTIL SUCH TIME AS THE ACCUSED APPEARS BEFORE A  
4 JUDGE AND HAS AN OPPORTUNITY TO REQUEST THAT THE AMOUNT OF BOND BE  
5 REVIEWED; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 83-39-25, Mississippi Code of 1972, is  
8 amended as follows:

9 83-39-25. (1) A professional bail agent or his agent shall  
10 charge and collect for his premium, commission, or fee an amount  
11 of ten percent (10%) of the amount of bail per bond posted by him,  
12 or Fifty Dollars (\$50.00), whichever is greater, except on a bond  
13 on a defendant who is charged with a capital offense, or on a  
14 defendant who resides outside the State of Mississippi, in which  
15 case the premium, commission or fee shall be fifteen percent (15%)  
16 of the amount of bail, per bond posted by him, or Fifty Dollars  
17 (\$50.00), whichever is greater.

18 (2) A professional bail agent or his agent shall be allowed  
19 under this chapter to charge to the defendant no more than Fifty  
20 Dollars (\$50.00) for expenses resulting from a bond of One  
21 Thousand Dollars (\$1,000.00) or less when such bail agent is  
22 required to travel outside the county in which he does business.

23 (3) A professional bail agent or his agent shall also charge  
24 an additional Twenty-five Dollars (\$25.00) processing fee on each  
25 bond issued by him.

26 (4) When bail has been set without an appearance before a  
27 judge, the bail agent shall place the full amount of the required  
28 bond premium in a trust account until the accused appears before

29 the court and has opportunity to request that the judge review the  
30 amount of the bond.

31         **SECTION 2.** This act shall take effect and be in force from  
32 and after July 1, 2005.