

By: Senator(s) Brown

To: Judiciary, Division B

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2624

1 AN ACT TO AMEND SECTION 83-39-29, MISSISSIPPI CODE OF 1972,
2 TO REVISE THE OFFENSE OF BOND JUMPING; AND FOR RELATED PURPOSES.

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

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

6 83-39-29. (1) The department may provide information to the
7 district attorney in the district in which a professional bail
8 agent, a soliciting bail agent or bail enforcement agent is
9 domiciled so that proper legal action may be pursued against any
10 licensee who is alleged to have violated any provision of Chapter
11 39 of Title 83. Such licensee is guilty of a misdemeanor and
12 shall be subject to a fine of not more than One Thousand Dollars
13 (\$1,000.00), imprisonment in the county jail for not more than one
14 (1) year, or both. Any insurer violating any provision of Chapter
15 39 of Title 83 may be fined in an amount not to exceed Fifty
16 Thousand Dollars (\$50,000.00).

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

24 (3) Any person who acts or attempts to act, represents
25 himself to be, or impersonates a professional bail agent, a
26 soliciting bail agent or a bail enforcement agent as defined in
27 this chapter by attempting to arrest or detaining any person, and

28 who is not licensed under this chapter, is guilty of a misdemeanor
29 and, upon conviction, shall be subject to a fine of not more than
30 Five Thousand Dollars (\$5,000.00), imprisonment for not more than
31 one (1) year, or both.

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

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

49 (6) Any person who aids and abets any person in the
50 commission of the offense of bond jumping, whether the person
51 committing the principal offense is actually convicted, shall be
52 guilty of bond jumping to the same degree as the person so aided
53 and abetted and shall be punished accordingly. Any person who is
54 convicted of aiding and abetting shall be jointly and severally
55 liable for payment of restitution for reasonable expenses incurred
56 in returning the defendant to court.

57 (7) Any bail agent who is prejudiced or injured by the
58 commission of any of the offenses set forth in this section shall
59 have standing to file a complaint alleging the commission of the
60 offense or offenses.

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