

By: Senator(s) Brown

To: Judiciary, Division B

SENATE BILL NO. 2624  
(As Passed the Senate)

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