

By: Representative Rogers (61st)

To: Judiciary B

HOUSE BILL NO. 715

1 AN ACT TO AMEND SECTION 99-5-1, MISSISSIPPI CODE OF 1972, TO
2 REVISE FORM REQUIREMENTS FOR BAIL; AND FOR RELATED PURPOSES.

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

4 **SECTION 1.** Section 99-5-1, Mississippi Code of 1972, is
5 amended as follows:

6 99-5-1. Bail may be taken in the following form, viz.:

7 "State of Mississippi,
8 _____ County.

9 We _____, principal, and _____ and
10 _____, sureties, agree to pay the State of Mississippi
11 _____ Dollars, unless the said _____ shall
12 appear at the next term of the Circuit Court of _____
13 County, and there remain from day to day and term to term until
14 discharged by law, to answer a charge of _____.

15 Signed _____
16 _____

17 Approved _____.
18 _____."

19 When the bail is for appearance before any committing court
20 or a judge, the form may be varied to suit the condition.

21 When a bond is taken from a professional bail agent, the
22 following must be preprinted or stamped clearly and legibly on the
23 bond form: full name of the professional bail agent, Department
24 of Insurance license number, full and correct legal address of the
25 professional bail agent and complete phone number of the
26 professional bail agent. In addition, if the bond is posted by a
27 limited surety professional bail agent, the name of the insurer,

28 the legal address of the insurer on file with the department and
29 phone number of the insurer must be preprinted or stamped, and a
30 true and correct copy of an individual's power of attorney
31 authorizing the agent to post such bond shall be attached.

32 If the bond is taken from a soliciting bail agent, the full
33 name of the soliciting bail agent and the license number of such
34 agent must be preprinted or stamped clearly and legibly along with
35 all information required for a professional bail agent and a true
36 and correct copy of an individual's power of attorney authorizing
37 such soliciting bail agent to sign the name of the professional
38 bail agent.

39 Any professional bail agent and/or soliciting bail agents who
40 issue a bail bond that does not contain this required information
41 may have their license suspended up to six (6) months and/or be
42 fined not more than One Thousand Dollars (\$1,000.00) for the first
43 offense, may have their license suspended up to one (1) year
44 and/or be fined not more than Five Thousand Dollars (\$5,000.00)
45 for the second offense and shall have their license permanently
46 revoked if they commit a third offense.

47 **SECTION 2.** This act shall take effect and be in force from
48 and after July 1, 2007.