

By: Representative Rogers (61st)

To: Judiciary B

HOUSE BILL NO. 717

1 AN ACT TO AMEND SECTION 83-39-25, MISSISSIPPI CODE OF 1972,  
2 TO ALLOW BAIL AGENTS TO HOLD COLLATERAL FOR BONDS; AND FOR RELATED  
3 PURPOSES.

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

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

7 83-39-25. (1) A professional bail agent or his agent shall  
8 charge and collect for his premium, commission, or fee an amount  
9 of ten percent (10%) of the amount of bail per bond posted by him,  
10 or Fifty Dollars (\$50.00), whichever is greater, except on a bond  
11 on a defendant who is charged with a capital offense, or on a  
12 defendant who resides outside the State of Mississippi, in which  
13 case the premium, commission or fee shall be fifteen percent (15%)  
14 of the amount of bail, per bond posted by him, or Fifty Dollars  
15 (\$50.00), whichever is greater.

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

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

24 (4) Nothing herein shall prohibit a professional bail agent  
25 or his agent from holding collateral or taking a security interest  
26 in collateral for the purpose of insuring the payment of the  
27 premium of the bond posted or indemnifying the professional bail

28 agent for losses incurred due to a forfeiture of a bond or the  
29 costs of apprehension and surrender of the principal.

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