

By: Senator(s) Minor

To: Judiciary

SENATE BILL NO. 2935

1 AN ACT TO AMEND SECTION 83-39-29, MISSISSIPPI CODE OF 1972,  
2 TO REVISE PROVISIONS REGARDING PERSONS IMPERSONATING BAIL AGENTS,  
3 TO INCREASE THE PENALTY FOR BONDJUMPING AND ADD PENALTY FOR  
4 FUGITIVE FLIGHT; AND FOR RELATED PURPOSES.

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

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

8 83-39-29. The department may provide information to the  
9 district attorney in the district in which a professional bail  
10 agent, a soliciting bail agent or bail enforcement agent is  
11 domiciled so that proper legal action may be pursued against any  
12 licensee who is alleged to have violated any provision of Chapter  
13 39 of Title 83. Such licensee is guilty of a misdemeanor and  
14 shall be subject to a fine of not more than One Thousand Dollars  
15 (\$1,000.00), imprisonment in the county jail for not more than one  
16 (1) year, or both. Any insurer violating any provision of Chapter  
17 39 of Title 83 may be fined in an amount not to exceed Fifty  
18 Thousand Dollars (\$50,000.00).

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

26 Any person who acts or attempts to act or represents himself  
27 to be, or impersonates a professional bail agent, a soliciting  
28 bail agent or a bail enforcement agent, as defined in this chapter



29 by attempting to arrest or detaining any person and who is not  
30 licensed under this chapter is guilty of a felony and, upon  
31 conviction, shall be subject to a fine of not more than Ten  
32 Thousand Dollars (\$10,000.00), imprisonment for not more than five  
33 (5) years, or both.

34 A bail agent, bail enforcement agent or bail enforcement  
35 agent from another state shall report to the Sheriff's Department  
36 of the county in which he is attempting to locate a fugitive prior  
37 to beginning to look for the fugitive to prove his licensing and  
38 legal right to the fugitive. Failure to prove licensing shall be  
39 the same offense as impersonating a professional bail agent.

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

50 Any person charged with a felony who has obtained his release  
51 from custody by having a professional bail agent, insurer, agent  
52 of such bail agent or insurer, or any person other than himself  
53 furnish his bail bond and who fails to appear in court, at the  
54 time and place ordered by the court, is guilty of "bondjumping"  
55 and, upon conviction, shall be subject to a fine of not more than  
56 Five Thousand Dollars (\$5,000.00), imprisonment in the State  
57 Penitentiary for not more than five (5) years, or both, and  
58 payment of restitution for reasonable expenses incurred returning  
59 the defendant to court.

60 Any person charged with a criminal violation who has obtained  
61 his release by having a professional bail agent, insurer, agent of



62 such professional bail agent or insurer, or any other person other  
63 than himself furnish his bail bond and who fails to appear at the  
64 time and place ordered by the court and who leaves the State of  
65 Mississippi shall be guilty of "fugitive flight" and upon  
66 conviction, shall be subject to a fine of not more than Ten  
67 Thousand Dollars (\$10,000.00), imprisonment in the State  
68 Penitentiary for not more than ten (10) years, or both, and  
69 payment of restitution for reasonable expenses incurred returning  
70 the defendant to court.

71       **SECTION 2.** This act shall take effect and be in force from  
72 and after July 1, 2002.

