REFERENCE TITLE: bail bond agent lists; solicitation

State of Arizona
House of Representatives
Fiftieth Legislature
Second Regular Session
2012

H. B. ____

Introduced by _____

AN ACT

AMENDING SECTION 13-3969, ARIZONA REVISED STATUTES; RELATING TO BAIL.

(TEXT OF BILL BEGINS ON NEXT PAGE)

will get dropped

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 13-3969, Arizona Revised Statutes, is amended to read:

13-3969. Bail bond agent lists; prohibition; rotation; acceptance of bonds; unlawful solicitation; classification

A. The sheriff or keeper of ~~the~~ A COUNTY OR CITY jail shall provide to a person charged with a bailable offense in his custody a list containing the names and telephone numbers of those persons authorized to post bail bonds in the county. Persons authorized to post bail bonds in the county may be listed under their own name or a trade name if the trade name is registered with the secretary of state. The list shall be updated ~~annually~~ MONTHLY. EACH MONTH THE CLERK OF THE COURT SHALL TRANSMIT THE LIST ELECTRONICALLY TO COUNTY AND CITY JAILS AND SHALL ROTATE THE ORDER OF THE NAMES AND TELEPHONE NUMBERS ON THE LIST.

B. The sheriff or keeper of ~~the~~ A COUNTY OR CITY jail shall not recommend any ~~authorized~~ bail bond agent, PRIVATE PERSON OR PRIVATE COMPANY to a person charged with a bailable offense in the sheriff's or keeper's custody ~~and shall rotate quarterly the order of the names and telephone numbers of the authorized bail bond agents listed~~.

C. The sheriff or keeper of ~~the~~ A COUNTY OR CITY jail in the county OR CITY in which criminal charges are filed or in which the person charged is jailed shall accept the bond from any person.

D. THE SHERIFF OR KEEPER OF A COUNTY OR CITY JAIL SHALL ACCEPT THE SECURED APPEARANCE BOND FROM AN EMPLOYEE OF A BAIL BOND AGENT IF THE EMPLOYEE HAS PROPER BAIL AGENCY IDENTIFICATION.

E. IF BAIL IS AUTHORIZED BY THE COURT, THE SHERIFF OR KEEPER OF A COUNTY OR CITY JAIL SHALL ACCEPT SECURED APPEARANCE BONDS, MONEY ORDERS, CASHIER'S CHECKS OR CASH DIRECTLY FOR THE RELEASE OF PERSONS IN THE CUSTODY OF THE SHERIFF OR KEEPER. in increments of up to $50.

F. EXCEPT PURSUANT TO SUBSECTION A OF THIS SECTION, A PRIVATE COMPANY SHALL NOT SOLICIT BAIL BOND BUSINESS INSIDE OR WITHIN TWO HUNDRED FEET OF ANY ENTRANCE TO A COURT BUILDING OR A COUNTY OR CITY JAIL. A PERSON WHO VIOLATES THIS SUBSECTION IS GUILTY OF A CLASS 3 MISDEMEANOR. FOR THE PURPOSES OF THIS SUBSECTION, "SOLICIT" INCLUDES HANDING OUT BUSINESS CARDS OR ANY PRINTED MATERIAL RELATED TO BAIL BONDS, VERBALLY ASKING A PERSON IF THE PERSON NEEDS A BAIL BOND AND RECRUITING ANOTHER PERSON TO SOLICIT BAIL BOND BUSINESS.

except leg't office

MCSO
[Law enforcement] is OK w/this