

SENATE BILL REPORT

SB 6745

As Reported By Senate Committee On:
Judiciary, February 2, 2006

Title: An act relating to bail bond agents.

Brief Description: Expanding the definition of a bail bond recovery agent.

Sponsors: Senator Carrell.

Brief History:

Committee Activity: Judiciary: 2/2/06 [DP].

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass.

Signed by Senators Kline, Chair; Weinstein, Vice Chair; Johnson, Ranking Minority Member; Carrell, Esser, Hargrove, McCaslin and Rasmussen.

Staff: Aldo Melchiori (786-7439)

Background: A bail bond agent is a person who is employed by a bail bond agency to sell or issue bail bonds. A bail bond agent or agency may employ a bail bond recovery agent to locate, apprehend, and surrender fugitive criminal defendants for whom a bail bond has been posted. Bail bond agents and bail bond recovery agents are both licensed, but the training they receive and other licensing requirements are distinct. Bail bond agents may locate and surrender fugitive criminal defendants, for which they themselves have issued a bail bond, without using a bail bond recovery agent.

Summary of Bill: Bail bond agents enforcing their own bail bonds are not acting as bail bond recovery agents. Bail bond agents, in these cases, do not need to be licensed as bail bond recovery agents.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Licensed bail bond agents work hand-in-hand with the court to enforce bail. The functions of bail bond agents and bail bond recovery agents are distinct.

Testimony Against: Bail bond recovery agent training assures public safety. It is dangerous for untrained bail bond agents to perform these functions. This change creates inconsistencies in the bail bond recovery agent statutes.

Who Testified: PRO: Senator Carrell, prime sponsor; James Sells, Washington State Bail Bond Association.

CON: Pat Brown, Department of Licensing.