
SENATE BILL 6745

State of Washington

59th Legislature

2006 Regular Session

By Senator Carrell

Read first time 01/20/2006. Referred to Committee on Judiciary.

1 AN ACT Relating to bail bond agents; and amending RCW 18.185.010.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

3 **Sec. 1.** RCW 18.185.010 and 2004 c 186 s 2 are each amended to read
4 as follows:

5 Unless the context clearly requires otherwise, the definitions in
6 this section apply throughout this chapter.

7 (1) "Department" means the department of licensing.

8 (2) "Director" means the director of licensing.

9 (3) "Commission" means the criminal justice training commission.

10 (4) "Collateral or security" means property of any kind given as
11 security to obtain a bail bond.

12 (5) "Bail bond agency" means a business that sells and issues
13 corporate surety bail bonds or that provides security in the form of
14 personal or real property to ensure the appearance of a criminal
15 defendant before the courts of this state or the United States.

16 (6) "Qualified agent" means an owner, sole proprietor, partner,
17 manager, officer, or chief operating officer of a corporation who meets
18 the requirements set forth in this chapter for obtaining a bail bond
19 agency license.

1 (7) "Bail bond agent" means a person who is employed by a bail bond
2 agency and engages in the sale or issuance of bail bonds, but does not
3 mean a clerical, secretarial, or other support person who does not
4 participate in the sale or issuance of bail bonds.

5 (8) "Licensee" means a bail bond agency, a bail bond agent, a
6 qualified agent, or a bail bond recovery agent.

7 (9) "Branch office" means any office physically separated from the
8 principal place of business of the licensee from which the licensee or
9 an employee or agent of the licensee conducts any activity meeting the
10 criteria of a bail bond agency.

11 (10) "Bail bond recovery agent" means a person who is under
12 contract with a bail bond agent to receive compensation, reward, or any
13 other form of lawful consideration for locating, apprehending, and
14 surrendering a fugitive criminal defendant for whom a bail bond has
15 been posted. "Bail bond recovery agent" does not include a general
16 authority Washington peace officer ((~~or~~)), a limited authority
17 Washington peace officer, or a bail bond agent enforcing his or her own
18 bail bonds.

19 (11) "Contract" means a written agreement between a bail bond agent
20 or qualified agent and a bail bond recovery agent for the purpose of
21 locating, apprehending, and surrendering a fugitive criminal defendant
22 in exchange for lawful consideration.

23 (12) "Planned forced entry" means a premeditated forcible entry
24 into a dwelling, building, or other structure without the occupant's
25 knowledge or consent for the purpose of apprehending a fugitive
26 criminal defendant subject to a bail bond. "Planned forced entry" does
27 not include situations where, during an imminent or actual chase or
28 pursuit of a fleeing fugitive criminal defendant, or during a casual or
29 unintended encounter with the fugitive, the bail bond recovery agent
30 forcibly enters into a dwelling, building, or other structure without
31 advanced planning.

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