
SENATE BILL 6312

State of Washington 61st Legislature 2010 Regular Session

By Senators Carrell, King, and Hewitt

Read first time 01/12/10. Referred to Committee on Judiciary.

1 AN ACT Relating to the imposition of a minimum bail bond premium
2 fee of ten percent; adding new sections to chapter 18.185 RCW; creating
3 a new section; and prescribing penalties.

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

5 NEW SECTION. **Sec. 1.** The legislature recognizes that corporate
6 surety bail bond premium fees that fall below ten percent of the
7 penalty amount of the bond to be posted encourage flight and thus make
8 it more likely that a defendant will forfeit the bond and fail to
9 appear in court at the designated time. Accordingly, the legislature
10 intends to create uniformity of law and promote public safety by
11 creating a standard bail bond premium fee throughout the state.

12 NEW SECTION. **Sec. 2.** (1) A bail bond agent shall charge and
13 collect for his or her premium, commission, or fee an amount of ten
14 percent of the amount of the corporate surety bail bond posted by him
15 or her.

16 (2) The bail bond agent shall certify to the court that the
17 premium, commission, or fee is at least ten percent of the amount of

1 the corporate surety bail bond posted by him or her. The certification
2 shall be submitted to the court along with the bond.

3 (3) Subsection (1) of this section applies to a bond posted for
4 persons convicted of a crime against a person, as provided in RCW
5 9.94A.411.

6 NEW SECTION. **Sec. 3.** (1) The director may impose a civil penalty
7 for a violation of this chapter. The civil penalty shall consist of:

8 (a) For a first violation, a written warning and a monetary penalty
9 of one thousand dollars;

10 (b) For a second violation, mandatory suspension of the bail bond
11 agent's license for a maximum of one year and a monetary penalty of one
12 thousand dollars;

13 (c) For a third violation, mandatory revocation of the bail bond
14 agent's license and a monetary penalty of five thousand dollars.

15 (2) At the request of the director, the attorney general may bring
16 an action in the name of the state seeking:

17 (a) Injunctive relief to prevent the bail bond agent from further
18 violation of this chapter;

19 (b) To recover civil penalties imposed under subsection (1) of this
20 section; or

21 (c) To recover attorneys' fees and other enforcement costs and
22 disbursements.

23 NEW SECTION. **Sec. 4.** All revenues derived from any civil
24 penalties assessed under section 3 of this act shall be deposited in
25 the business and professions account, pursuant to RCW 43.24.150(1)(f).

26 NEW SECTION. **Sec. 5.** Sections 2 through 4 of this act are each
27 added to chapter 18.185 RCW.

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