

APA-1

TRANSMITTAL SHEET FOR NOTICE
OF INTENDED ACTION

Control: 153

Department or Agency: Alabama Professional Bail Bonding Board

Rule No.: 153-X-4-.01

Rule Title: License Renewal And Continuing Education

Intended Action Amend

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? No

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? No

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved? No

To what degree?: N/A

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? NA

Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

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Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

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Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer Keith E. Warren
Keith E. Warren

Date Thursday, May 16, 2024

REC'D & FILED
MAY 16, 2024
LEGISLATIVE SVC AGENCY

ALABAMA PROFESSIONAL BAIL BONDING BOARD

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Professional Bail Bonding Board

RULE NO. & TITLE: 153-X-4-.01 License Renewal And Continuing
Education

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

The Board proposes to remove the word "fingerprint" as a requirement for a background check.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Written comments will be received by the Board until 4:00 p.m. on Friday, July 5, 2024. Comments are to be directed to Keith Warren, Executive Director, 2777 Zelda Road, Montgomery, AL 36106 or by email at keith@alstateboard.com.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Friday, July 5, 2024

CONTACT PERSON AT AGENCY:

Keith Warren, Executive Director,
2777 Zelda Road, Montgomery, AL
36106 or by email at
keith@alstateboard.com.

Keith E. Warren

Keith E. Warren

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

153-X-4-.01**License Renewal And Continuing Education.**

(1) All professional bail companies, professional surety companies, professional bondsmen, professional surety bondsmen, and recovery agents, commencing and/or conducting business in any judicial circuit in this state, shall obtain and maintain a current license, which shall expire each year on October 31 at 11:59 p.m., unless renewed within the time allowed as set forth herein. Once a license has expired, an individual and/or company shall immediately cease and desist from providing bail bond and/or recovery services as providing bail bond or recovery agent services under an expired license is prohibited. Once a license expires, an individual and/or company cannot request inactive status.

(2) A completed renewal application and assessed late fee penalty, if applicable, must be received by the Board's office no later than October 31 at 11:59 p.m. on each year to prevent expiration. Upon the Board's timely receipt of the licensee's completed renewal application, ~~fingerpr~~ fingerprint background check, proof of required education and assessed late fee penalty, if applicable, said renewal application will be processed within a reasonable time after the Board's office has received the same. An individual may not provide bail bond or recovery agent services under an expired license.

(3) Licensees who fail to complete the required continuing education program will not be re-licensed for the upcoming-renewal period. Licensees desiring to have their licenses reinstated must attend a continuing education class offered in the current licensing period before a license will be issued. A second continuing education class must be attended for a licensee to obtain a license for the following-renewal period.

(4) The Board will notify all individuals with an expired license of their license status in writing, will notify their employer of record, and will post their name on the Board website. The Board's Executive Director or its designee will follow up on each expired license to ensure that bail bond services are not being provided under an expired license. Persons providing any type of bail services under an expired license are subject to disciplinary action by the Board.

Author: Alabama Professional Bail Bonding Board

Statutory Authority: Code of Ala. 1975, §§15-13-202, 15-13-217.

History: New Rule: Published June 30, 2020; effective August 14, 2020; operative upon approval by Joint Committee on November 10, 2020. **Amended:** Published September 30, 2022; effective November 14, 2022. Amended: Published ; effective

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