

2018 Regular Session

ACT No. 563

HOUSE BILL NO. 897 (Substitute for House Bill No. 506 by Representative Jackson)

BY REPRESENTATIVE JACKSON

1 AN ACT

2 To amend and reenact R.S. 22:1556(C) and (D) and to enact R.S. 22:1586, relative to bail
3 enforcement agents; to authorize disciplinary actions for certain prohibited bail-
4 related activities; to prohibit certain disciplinary actions based solely upon prohibited
5 acts by bail enforcement agents; to provide for liability; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 22:1556(C) and (D) are hereby amended and reenacted and R.S.
9 22:1586 is hereby enacted to read as follows:

10 §1556. License to solicit or transact bail; prohibited activities

11 * * *

12 C. Upon first violation, a person or entity that violates Subsection A of this
13 Section ~~shall~~ may be subjected to a six-month suspension of their license to write or
14 solicit bail bonds and fined an amount not to exceed five thousand dollars. A second
15 or any subsequent violation ~~shall~~ may subject the person or entity to a suspension of
16 their license to write or solicit bail bonds for not more than one year and a fine not
17 to exceed ten thousand dollars. A hearing may be requested pursuant to the
18 provisions of Chapter 12 of this Title, subject to the provisions of Chapter 13-B of
19 Title 49 of the Louisiana Revised Statutes of 1950.

20 D. A person or entity that violates Subsection B of this Section ~~shall~~ may be
21 fined an amount not to exceed five thousand dollars for each violation. A hearing
22 may be requested pursuant to the provisions of Chapter 12 of this Title, subject to the
23 provisions of Chapter 13-B of Title 49 of the Louisiana Revised Statutes of 1950.

24 * * *

1 §1586. Prohibited actions of bail enforcement agents; liability

2 A. The commissioner may, in his discretion, determine that no prohibited act
3 committed by a licensed bail enforcement agent contracted with a bail bond agency
4 or producer may serve as the sole basis for the suspension or revocation of the
5 agency's or producer's license, or the imposition of a fine on the bail bond agency or
6 producer pursuant to R.S. 22:1556, absent a finding by the Department of Insurance
7 that the bail bond agency or producer had actual or constructive knowledge of or
8 participated in the prohibited act.

9 B. Nothing in this Section shall be construed to alter, amend, restrict, or limit
10 the liability of any bail bond agency or producer or bail enforcement agent.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____