

**TO:** Perri Babalis

**FROM:** Josh Nelson

**SUBJECT:** REQUIREMENTS FOR BAIL BONDSMAN LICENSURE BY STATE

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## REQUIREMENTS FOR BAIL BONDSMAN LICENSURE BY STATE

### NEW MEXICO

Statute: N.M. Stat. Ann. § 59A-51-4

In New Mexico, the applicant must be 18, a U.S. citizen, and a high school graduate. N.M. Stat. Ann. § 59A-51-4. The applicant must also pass a written examination that tests “the applicant’s knowledge and competence to engage in the bail bondsman business.” *Id.* The statute also has the vague requirement that the applicant to “be of good personal and business reputation.” *Id.*

### NEVADA

Statute: Nev. Rev. Stat. Ann. § 697.150

In Nevada, the applicant must be 18, a resident of the state for not less than one year, and be appointed by an authorized surety insurer. Nev. Rev. Stat. Ann. § 697.150. Nevada requires the applicant to pass a written examination, that tests the competence of a bail agent, bail enforcement agent, or bail solicitor to act as such. Nev. Rev. Stat. Ann. § 697.200. Additionally, an applicant must be “competent, trustworthy, and financially responsible.” § 697.150.

### OKLAHOMA

Statute: Okla. Stat. Ann. tit. 59, § 1305

To serve as a bail bondsman in Oklahoma, the applicant must be 21, a U.S. citizen, a resident of the state for at least one year, and have a high school or equivalent diploma. Okla. Stat. Ann. tit. 59, § 1305. The applicant must not have been previously convicted of any “felony” or “misdemeanor involving moral turpitude or dishonesty.” *Id.* While there is no formal experiential requirement, the applicant must have “knowledge and experience. . .in the bail bond business.” *Id.* In order to ascertain an applicant’s knowledge and experience, the Commissioner may submit “reasonable interrogatories to an applicant. . .deemed necessary or expedient to in order to protect the public and ascertain the qualifications of the applicant.” *Id.*

## **IDAHO**

Statute: Idaho Code Ann. § 41-1007

Idaho designates bail bondsmen as limited producers. To obtain a producer license in Idaho, the applicant must be 18 and have no past act that would be grounds for denial, suspension, or revocation of the license, such as failing to pay a judgment. Idaho Code Ann. § 41-1007

Additionally, the applicant must have “successfully passed the examinations for the lines of authority for which the applicant has applied.” *Id.*

## **OREGON**

In Oregon, the state operates on a 10% deposit for bail, meaning that a person who makes a 10% deposit to the court is released on bail. If the individual doesn't appear for their court dates, there is a warrant for their arrest and they are liable for the full bond amount. This effectively means that there are no bail bondsmen businesses in Oregon, and therefore they have no statutory requirements for bail bondsmen.

## **TEXAS**

Statute: Tex. Occ. Code Ann. § 1704.152

In Texas, to be licensed as a bail bond surety, the applicant must be 18, a resident of Texas, and must pay applicable fees. Tex. Occ. Code Ann. § 1704.152. Texas also requires the applicant to complete “at least eight hours of continuing legal education in criminal law courses or bail bond law courses that are approved by the State Bar of Texas” in the two years preceding the application. *Id.* Texas also has an experiential requirement. All applicants must have “been continuously employed by a person licensed [as a bail bond surety]...for at least one year and for not less than 30 hours per week...and performed duties that encompass all phases of the bonding business.” *Id.* This experiential requirement must also be completed within two years preceding the application for licensure. *Id.*

## **MONTANA**

Statute: Mont. Code Ann. § 33-17-211

In Montana, a bail bondsman must be licensed as an insurance producer. In order to become licensed as an insurance producer, the applicant must be 18, a resident of Montana or a state that offers similar privileges, and must be “competent, trustworthy, and of good reputation.” Mont. Code Ann. § 33-17-211. Additionally, Montana requires applicants to pass the examinations for “each kind of insurance for which the individual has applied.” *Id.* Although Montana has an experiential requirement, what experience is required is nearly unquantifiable. Applicants must have “experience or training” or be “otherwise...qualified in the kinds of insurance for which the applicant applied to be licensed and is reasonably familiar with the provisions...that govern the applicant's operations as an insurance producer.” *Id.*

## WASHINGTON

Statute: Wash. Rev. Code Ann. § 18.185.020, 030

To receive a bail bond agency license in Washington, the applicant must be 18, a citizen of the United States, and must not have been convicted of a crime in any jurisdiction in the preceding ten years, “if the director determines that the applicant’s particular crime directly relates to a capacity to perform [their] duties.” Wash. Rev. Code Ann. § 18.185.020. Additionally, the applicant must pass a written examination that “measures the person’s knowledge and competence in the bail bond agency business.” Wash. Rev. Code Ann. § 18.185.030 Finally, an applicant must have “at least three years’ experience as a manager, supervisor, or administrator in the bail bond business or a related field.” *Id.* A year’s experience is no less than 2000 hours per year and is verified with written certifications from previous employers. *Id.*

## ARIZONA

Statute: Ariz. Rev. Stat. Ann. § 20-340.01.

To be licensed as a bail bond agent in Arizona, an applicant must be 18, a resident of the state for at least one year, and must provide fingerprints to the department of insurance. Ariz. Rev. Stat. Ann. § 20-340.01. According the states website, the applicant must also pass the state’s insurance examination. Once licensed, the state may examine the “business practices, books and records of any bail bond agent as often as the director deems appropriate. *Id.*

	Texas	New Mexico	Montana	Idaho	Oklahoma	Nevada	Washington	Arizona
Age	18	18	18	18	21	18	18	18
Exam	N/A	Must pass written examination	Must pass written examination	Must pass surety exam	N/A	Must pass written examination	Must pass written examination	Must pass insurance examination
Experiential Requirement	Must be employed for 2 yrs, for at least 30 hrs per week, under a bail bondsman	N/A	Must have "experience or training or otherwise is qualified"	N/A	Reasonable interrogatories pertaining to qualification and fitness	N/A	3 yrs. with 2000 hrs. per year as manager, supervisor, administrator in bail bond bus.	N/A
Degree Requirement	N/A	High school diploma or equivalent	N/A	N/A	High school diploma or equivalent	N/A	N/A	N/A
State Courses	Complete state approved crim. law or bail bonds courses	N/A	N/A	N/A	N/A	Six hour course of instruction	N/A	N/A
Residency	Must be a resident	N/A	Resident of MT or state that offers similar privileges	N/A	Must be resident of the state for > 1 year	Must be resident of the state for > 1 year	N/A	Must be resident of the state for > 1 year
Fee	Yes	Yes	Yes	\$80	\$250/ For multicounty: \$750.00	Yes	Yes	Yes