



## DEPARTMENT OF INSURANCE

### State of North Carolina

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RALEIGH, NC 27699-1204

**JIM LONG**  
COMMISSIONER OF INSURANCE

**PUBLIC SERVICES GROUP**  
AGENT SERVICES DIVISION  
(919) 807-6800

### MEMORANDUM

**TO:** Licensed Professional Bail Bondsmen  
Licensed Surety Bail Bondsmen  
Licensed Bail Runners

**FROM:** Etta P. Maynard  
Deputy Commissioner

**RE:** SB 846 (Modernize Bail Bondsman Registration) (S.L. 2006-188)

**DATE:** September 12, 2006

The General Assembly of North Carolina amended Article 71 of Chapter 58 of the General Statutes by adding a new section effective October 1, 2006. Attached is a copy of this new legislation for your review.

Senate Bill 846 requires the Administrative Office of the Courts (AOC) to establish a statewide Electronic Bondsmen Registry (Registry) by October 1, 2006. All licensed professional bondsmen, surety bondsmen and runners engaged in bail bond business in North Carolina must be registered in the statewide Registry. Any professional bondsman, surety bondsman, or runner who is registered will be authorized to execute bonds in all 100 counties during the effective period of the registered license, power of appointment, and power of attorney.

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Licensed Professional Bail Bondsmen  
Licensed Surety Bail Bondsmen  
Licensed Bail Runners  
September 12, 2006

Once you are in the Registry, you will no longer register an original or certified copy of your license, power of appointment, or power of attorney in the Clerk of Court's office. The Department of Insurance (DOI) will communicate directly with AOC, and DOI will provide information needed to maintain the Registry.

Additionally, Agent Services Division will inform AOC of regulatory actions (license cancellations, license surrenders, license suspensions, and license revocations).

If you have questions, please contact this office at (919) 807-6800.

cc: Jo McCants, General Counsel, Administrative Office of the Courts (AOC)  
North Carolina Bail Agents Association (NCBAA)

**Effective October 1, 2006, G.S. 58-71-140 reads:**

**§ 58-71-140. Registration of licenses and power of appointments by insurers.**

(a) Before the date of the notice provided for in subsection (e) of this section, no professional bail bondsman shall become a surety on an undertaking unless he or she has registered his or her current license in the office of the clerk of superior court in the county in which he or she resides and a certified copy of the same with the clerk of superior court in any other county in which he or she shall write bail bonds.

(b) Before the date of the notice provided for in subsection (e) of this section, a surety bondsman shall register his or her current surety bondsman's license and a certified copy of his or her power of appointment with the clerk of superior court in the county in which the surety bondsman resides and with the clerk of superior court in any other county in which the surety bondsman writes bail bonds on behalf of an insurer.

(c) Before the date of the notice provided for in subsection (e) of this section, no runner shall become surety on an undertaking on behalf of a professional bondsman unless that runner has registered his or her current license and a certified copy of his or her power of attorney in the office of the clerk of superior court in the county in which the runner resides and with the clerk of superior court in any other county in which the runner writes bail bonds on behalf of the professional bondsman.

(c1) On or after the date of the notice provided for in subsection (e) of this section, all licensed professional bail bondsmen, surety bondsmen, and runners shall register in the statewide Electronic Bondsmen Registry in accordance with subsection (e) of this section.

(d) Professional bondsmen, surety bondsmen, and runners shall file with the clerk of court having jurisdiction over the principal an affidavit on a form furnished by the Administrative Office of the Courts. The affidavit shall include, but not be limited to:

- (1) If applicable, a statement that the bondsman has not, nor has anyone for the bondsman's use, been promised or received any collateral, security, or premium for executing this appearance bond.
- (2) If promised a premium, the amount of the premium promised and the due date.
- (3) If the bondsman has received a premium, the amount of premium received.
- (4) If given collateral security, the name of the person from whom it is received and the nature and amount of the collateral security listed in detail.

(e) On or before October 1, 2006, the Administrative Office of the Courts shall establish a statewide Electronic Bondsmen Registry (Registry) for all licenses, powers of appointment, and powers of attorney requiring registration under this section. When the Registry is established, the Administrative Office of the Courts shall notify the Commissioner and the Commissioner shall notify all licensed professional bondsmen, surety bondsmen, runners, and qualified insurance companies of the Registry. On or after the date of that notice, a person may register as required under this section by maintaining a record of each required license, power of appointment, or power of attorney in the Registry. After a bondsman, surety bondsman, or runner has completed registration in the Registry, he or she is authorized to execute bail bonds pursuant to his or her registered license, power of appointment, or power of attorney in all counties so long as the registered license, power of appointment, or power of attorney remains in effect.

