



State of Utah

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NEAL T. GOOCH

Insurance Commissioner

Insurance Department

Bulletin 2012-2

TO: Surety Insurers and Surety backed Bail Bond Surety Companies

FROM: Neal T. Gooch, Utah Insurance Commissioner

SUBJECT: **Revisions to Filing Requirements for Entities Issuing Bail Bonds.**

Pursuant to House Bill 29, revisions were made to Utah Code Ann. § 31A-35-607, which details the filing requirements for bail bond forms. Currently, there are three types of entities that are required to file bail bond forms:

1. A surety insurer;
2. A bail bond surety company backed by a surety insurance company; and
3. A bail bond surety company that meets the financial capacity requirements through the use of a letter of credit, personal property, or real property.

This Bulletin addresses the new requirements affecting surety insurance companies and bail bond surety companies backed by a surety insurance company. The new requirements applicable to these two entities take effect May 8, 2012.

Surety insurers are now responsible for making form filings on behalf of each bail bond surety company appointed to write on behalf of the surety insurer. It is also the responsibility of the surety insurer to verify that each bail bond surety company and its appointed producers are using the correct forms. Each form must be identified by a unique form number and must be filed 30 days prior to use. All form filings must be submitted via SERFF.

Bail bond surety companies backed by a surety insurer are prohibited from using forms that have not been filed by the relevant surety insurer. Bail bond surety companies backed by a surety insurer are prohibited from making changes to forms that have previously been filed by the surety insurer. All form changes must come from the surety insurer. Bail bond surety companies backed by a surety insurer cannot use their own forms.

The Utah Insurance Department is requiring all surety insurers to make a form filing on behalf of their appointed bail bond surety companies on or before May 8, 2012, to insure compliance with the revised statute, § 31A-35-607.

DATED this 30th Day of March 2012,

Neal T. Gooch
Commissioner of Insurance