



**State of Utah**

GARY R. HERBERT  
Governor

GREG BELL  
Lieutenant Governor

NEAL T. GOOCH  
Insurance Commissioner

# Insurance Department

## BULLETIN 2012-6

**TO:** All Bail Bond Surety Companies  
**FROM:** Neal T. Gooch, Utah Insurance Commissioner  
**DATE:** October 16, 2012  
**SUBJECT:** **Immigration Bonds**

The Utah Department of Insurance (“Department”) received information indicating insurance producers with limited line bail bond licenses may be selling, soliciting or negotiating Immigration Bonds in Utah without the required authorization.

An Immigration Bond is a specialized type of commercial surety bond, different from a bail bond. See ICE Form I-352. An Immigration Bond can be executed by an acceptable surety insurance company or a person, acting as a surety, who deposits United States bonds, notes or cash. When an Immigration Bond is executed, the insurer/surety is the obligor, the alien is the principal, and the Department of Homeland Security (“DHS”) is the beneficiary.

The purpose of this Bulletin is to make clear that persons selling, soliciting or negotiating Immigration Bonds in Utah for, or on behalf of, a surety insurer are required to be licensed as a producer in Utah and have a casualty line of authority (Utah Code Annotated (“UCA”) §§ 31A-23a-103 and 31A-23a-106). An insurance company surety must be authorized to write surety bonds in the State of Utah (UCA § 31A-4-102). Before a Utah authorized surety insurer can issue an Immigration Bond, the surety insurer must be listed as a certified company on Treasury Department Circular 570, which can be found at: [http://www.fms.treas.gov/c570/c570\\_a-z.html](http://www.fms.treas.gov/c570/c570_a-z.html).

Please contact either Tracy Klausmeier, Director of the Property and Casualty Division, by phone at (801) 538-3896 or by email at [tklausmeier@utah.gov](mailto:tklausmeier@utah.gov) or Randy Overstreet, Director of Producer Licensing Division, by phone at (801) 538-3645 or by email at [roverstreet@utah.gov](mailto:roverstreet@utah.gov) if you have any questions or need further information.

DATED this 16<sup>th</sup> day of October, 2012,

Neal T. Gooch  
COMMISSIONER OF INSURANCE