



**State of Utah**

GARY R. HERBERT  
Governor

GREG BELL  
Lieutenant Governor

NEAL T. GOOCH  
Aptd. Insurance Commissioner

# Insurance Department

## Bail Bond Oversight Board Meeting

**Date:** January 12, 2011

**Time:** Noon

**Place:** Kletting Room  
East Bldg behind Capitol

### *Board Members*

(Attendees = x)

xMichael Weddington (Chair)	xClayton A. Simms, LLC
xBrad Jenkins (Vice Chair)	xCamille L. Neider
xGordon Wright	xCraig Crawford
xMegan I. Corrent	

### *Staff*

xSuzette Green-Wright	xPerri Babalis	xTracy Klausmeier
xBrad Tibbitts	Adam Martin	xJaimee George
xJilene Whitby		

### *Public*

Clay Carlos                      Gary Walton

### MINUTES

#### *General Session (Open to the Public)*

Meeting began at 12:04pm. Replace lost folders and name cards for Megan and Mike.

- **Adoption of Previous Meeting Minutes / Chair**  
Craig made a **motion** to adopt the minutes, Megan seconded it and the vote was unanimous.

#### *Executive Session - (Closed to the Public)*

#### *General Session (Open to the Public)*

- **Approve Recommended Actions from Executive Session** (if needed)
  - **Motion** by Brad and seconded by Gordon to accept recommendation of no further action on an advertising complaint of 1-10-2011. Vote was unanimous.
  - **Motion** by Megan and seconded by Gordon to accept recommendation of no further action on unprofessional conduct of 10-15-2010. Vote was unanimous.
  - **Motion** by Clayton and seconded by Craig to accept recommendation of no further action on signature violation of 1-10-2011. Vote was unanimous.
  - **Motion** by Brad and seconded by Craig to accept recommendation of no further action on complaint of 1-10-2011 of agent executing a bond in which agent's name does not appear. Vote was unanimous.
  - **Motion** by Megan and seconded by Brad to accept recommendation of no further action on complaint of 1-10-2011 regarding advertising violation. Vote was unanimous.
  - No recommendations on ICases. All still being investigated.
- **Applications / Suzette**
  - None

#### **Old Business**

- **Update Status of Rule R590-186 / Suzette** (*comment ends 1-14-11*)
  - The comment period for this rule ends January 14, 2011.

- Gary Walton asked why the 60 day wait in R590-186-4.(5)(c)? He sent comments to the department in December. **Jilene will forward his comments to the Board.**
- **Bounty hunter qualifications to have a bail bond license (C.E.)** / Brad  
Jaimee felt that both bounty hunters and their agencies should be required to take C.E. Brad said a bill will make agencies liable to train their agents. **Gordon will find out which bill this is.**
- **Discussion Regarding Compliance of 10% Rule**  
Jaimee will audit collateral agencies then others regarding their adherence to this rule.

#### **New Business**

- **Legislation** / Suzette
  - Gordon called Dave Walsh regarding the bail bond bill. No response yet
  - The department's clean-up bill is [HB19](#), Insurance Law Related Amendments.
- **Passing the Collect Phone Call Charge Back to the Defendant** / Tracy  
Department was asked if a bail bond agency could pass along the expense of collect calls from jails. This can be a doc prep fee but not a separate charge. It can be made a part of the premium as long as the premium does not exceed 10% of the bond amount. Calls normally cost \$4.
- **R590-186-9 Bonding Limits** / Jaimee
  - Jaimee is getting an active bond list from the courts. Some agencies say they can't rely on the court list and they don't track their own bonds. Agencies should be able to tell her where they are in relation to the court list of bonds they have filed. Brad said a bill will require agencies to do this.
  - Gary Walton said the department sued on this issue and ended up having to pay. It is more effective to go to Salt Lake court and see the list of all bonds issued that month. It takes a long time for a bond to be exonerated.
  - Camille thought the department should monitor and enforce these limits. She suggested the board come up with a solution.
  - Jaimee said there were three line of credit agencies. Do the line of credit agencies need liquidity? The law requires \$50,000 liquidity plus \$250,000 line of credit. What does this mean? Discuss next month.
- **Unpaid Forfeitures** / Jaimee  
Pending till next meeting.
- **Control # on Bail Bonds** / Jaimee
  - Department has received complaints about not requiring a control number on a bond. What insurance contract does not have a control or policy number? Tracy said it could be required by law. Board members said they put numbers on their bonds. It helps with tracking. It is hard to audit when there are no bond numbers. It is easier to track bonding back to an individual.
  - Brad made a **motion** to put control numbers on bonds, Craig seconded it and the vote was unanimous.

#### **Other Business**

**Adjourned:** At 2:20pm Camille made a motion to adjourn, Clayton seconded it.

**Next Meeting:** Feb. 9, 2011, **Seagull** Room, East Building

#### **2011 Meetings**

<del>Jan 12</del>	Feb 9	Mar 9	Apr 13	May 11	Jun 8
Jul 13	Aug 10	Sep 14	Oct 12	Nov 9	Dec 14