



State of Utah

GARY R. HERBERT
Governor

GREG BELL
Lieutenant Governor

NEAL T. GOOCH
Aptd. Insurance Commissioner

Insurance Department

Bail Bond Oversight Board Meeting

(http://www.insurance.utah.gov/producers/bailbond_board.html)

Date: February 9, 2011 **Time:** Noon

Place: Seagull Room
East Building behind Capitol

Board Members

(Attendees=x)

xMichael Weddington (Chair)
xBrad Jenkins (Vice Chair)
xGordon Wright
Megan I. Corrent

Clayton A. Simms, LLC
xCamille L. Neider
Craig Crawford

Staff

xSuzette Green-Wright
Brad Tibbitts
xJilene Whitby

xPerri Babalis
Adam Martin

xTracy Klausmeier
xJaimee George

Public

Darren R. Brady

Thomas Pappas

Clay Carlos

MINUTES

General Session (Open to the Public) 12:06

- **Adoption of Previous Meeting Minutes / Chair**
Camille made a **motion** to approve the minutes and Gordon seconded it. The vote was unanimous.

Executive Session - (Closed to the Public)

General Session (Open to the Public)

- **Approve Recommended Actions from Executive Session** (if needed)
Brad recommended that the department revoke licenses in the cases of 59025, 59054 and 59055 and continue with their investigations, Clayton seconded it and the vote was unanimous. Camille made a motion that they accept the department's recommendation in case 59116 for a forfeiture of \$20,000, Megan seconded the motion and the vote was unanimous.
- **Applications** - None

Old Business

- **Legislation / Suzette**
HB 19 1sub is on the Senate Consent Calendar for Monday.
- **Rule R590-186 - Put Changes into Effect? / Suzette (comment ends 1-14-11)**
Clayton moved to put the rule into effect, Megan seconded it and the vote was unanimous. Take off agenda.
- **Bounty hunter qualifications to have a bail bond license (C.E.) / Suzette**
This bill is moving forward in the legislature. Gordon was going to recommend age changed to 18. Perri noted that bill says that if an applicant has a felony the commissioner decides if person qualifies. An arrest warrant or traffic violation would put a person on probation. It was decided that lines 34-55 should be eliminated. Strike "board" on line 56

and add "commissioner." Gordon suggested CE quarterly. Brad suggested applying this to agencies the first year. Two hours of CE every year and four hours for new licensees, including ethics. At least one principle must have 2000 hours CE. Gordon will email everyone a copy of the final draft.

- **Discussion Regarding Compliance of 10% Rule**

Next month.

- **R590-186-9 Bonding Limits** / Jaimee

Jaimee is using court records to create a list of bonds issued by an agency during a certain period. That list is compared with the agencies bonding limit and the agency is given an opportunity during an audit to prove they are under their limit. An agency is given two to four weeks notice of the audit and what she will need to see. Rule R590-190.9 gives the formula for a

- **Control Numbers on Bail Bonds** / Tracy

Currently all bail bonds must have an individual form number. Next year the department will file a bill with the legislature that will require every bond to have a control number. This change will be made to Chapter 35.

- **What Audits Consist of** / Jaimee

Audits take about 3 hours. She sends a notice of what she needs to see 2-4 weeks prior to the audit. She looks at bonding limits, trust accounts, forms and how they are filled out, checks agents for outstanding judgments, etc. Anything misleading to the consumer is flagged. Trust account violations will be fined.

New Business

- **Legislation** / Suzette

SB19 on Consent Calendar for Monday.

- **Sen. Stowell's Bail Bond Legislation** / Gordon

Discussed already.

- **Terms Expiring for 4 Board Members 6-30-11** / Suzette

Discuss next month.

- **Additional Fees** / Jaimee

Discuss next month.

- **License Renewal** / Jaimee

Renewal of agency license will be put on hold until the financial statement is filed and reviewed by Jaimee. The annual statement must be into the department no later than July 15. If not the renewal will be put on hold until it does come in.

Other Business

Adjourned 2:25

Next Meeting: March 9, 2011, **Kletting** Room, East Building

2011 Meetings

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