



State of Utah

GARY R. HERBERT
Governor

GREG BELL
Lieutenant Governor

NEAL T. GOOCH
Insurance Commissioner

Insurance Department

Bail Bond Oversight Board Meeting

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

Date: August 10, 2011

Time: Noon

Place: Spruce Room

East Building behind Capitol

Board Members

(Attendees)

xBrad Jenkins (Vice Chair)

xGordon Wright

Megan I. Corrent

xPeter Stevens

Ryan Cooper

xCraig Crawford

xLohra Miller

Staff

xSuzette Green-Wright

xBrad Tibbitts

xPerri Babalis

xJaimee George

xTracy Klausmeier

xJilene Whitby

Public

Todd Harris

Hyrum Lamaber

Wayne Carlos

Larry Womak

Tiffany Clipp

Mike Shire

Thomas Pappas

MINUTES

General Session (Open to the Public)

- **Welcome & Install New Members**

Meeting began at 12:05PM. Brad Jenkins conducted. The new Board members, Peter Stevens and Lohra Miller, were sworn in and introduced themselves.

- **Adoption of Previous Meeting Minutes / Chair**

Gordon made a **motion** to adopt the minutes, Craig seconded it, and the vote was unanimous in favor of the motion with Lohra abstaining.

Executive Session – (Public Excused)

General Session (Open to the Public)

- **Approve Recommended Actions from Executive Session (if needed)**

Gordon made a **motion** to approve the Complaint, Investigation and Enforcement Reports, Lohra seconded it and the vote was unanimous.

- **Applications - None**

Old Business

- **Fines & Renewal Fees. Where are they going? / Gordon / Suzette**

Suzette contacted the Governor's office and found that the renewal fees have been going into the Restricted Account but the fines have been going into the General Fund. This is being changed effective July 1, at which time they too will go into the Restricted Account.

- **Developing Subcommittee Update / Jaimee**

Lohra suggested posting updates to the website for those that do not come. Perri said there was no requirement to hold the meetings.

New Business

- **CE and Pre-licensing Classes / Jaimee**
Education Committee: Currently no bail bond pre-licensing or CE classes are being offered. Classes can be taught unofficially but cannot offer or hold out as a CE provider. Contact Michael Covington to be cleared to teach formally. CE classes required by January 2012. Teachers may come from the association.
- **10% Rule Enforcement / Jaimee**
How do we verify the 10% rule? Gordon suggesting agents make deposit to agency's bank and call them when deposit made. Each bond would have credit card slip. Wayne said the association would accept any way to make this easier for Jaimee to regulate. Brad made the **motion** to require agents deposit premiums to agencies bank account and apply deposit slip to bond, Gordon seconded it and the vote was unanimous. Perri will determine if all change are properly made to Rule R590-196-4.
- **Additional Fees / Jaimee**
 - Audits are revealing additional fees being written onto policy forms. Fees are for travel charges, middle of the night charges, etc. Fees printed on forms are not to be crossed off and new ones put in their place. This violates 31A-35-607 and Rule R590-196. All fees should be a part of the premium.
 - Wayne asked about changing the code to allow for additional charges. Tracy said the rule is restrictive. Changes would need to be made to it. The industry wrote the rule. Law requires fees to be listed on a form. Every bondsman is required to file a disclosure form.
 - Peter suggested modifying the form to include junk fees. Tracy said the rule would have to be changed to allow a change in the form.
 - Pete asked that they be given a copy of this rule for the next meeting.
 - Wayne expressed concern that junk fees would dilute the 10% rule.
 - Lohra **moved** to discuss this topic again at the next meeting after reviewing the rule and the form in R590-196-6.
- **Vote for Chair & Co-Chair**
Gordon nominated Brad to be the chair, Craig seconded it. Pete nominated Gordon as the co-chair, Lohra seconded it and the vote was unanimous for both nominations.
- **Other Business**
 - Wayne expressed concern about companies writing bonds without an agreement.
 - Suzette said the department was getting a new deputy commissioner and that he might attend the next meeting.

Adjourned - 1:40pm

Next Meeting: Sept. 14, 2011, Spruce 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