

House Engrossed

State of Arizona
House of Representatives
Fiftieth Legislature
Second Regular Session
2012

HOUSE BILL 2433

AN ACT

AMENDING SECTION 13-3969, ARIZONA REVISED STATUTES; RELATING TO BAIL.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 13-3969, Arizona Revised Statutes, is amended to
3 read:

4 13-3969. Bail bond agent lists: prohibition: rotation:
5 acceptance of bonds: unlawful solicitation:
6 classification

7 A. The sheriff or keeper of ~~the~~ A COUNTY OR CITY jail shall provide to
8 a person charged with a bailable offense in his custody a list containing the
9 names and telephone numbers of those persons authorized to post bail bonds in
10 the county. Persons authorized to post bail bonds in the county may be
11 listed under their own name or a trade name if the trade name is registered
12 with the secretary of state. The list shall be updated ~~annually~~ MONTHLY.
13 EACH MONTH THE CLERK OF THE COURT SHALL TRANSMIT THE LIST ELECTRONICALLY TO
14 COUNTY AND CITY JAILS AND SHALL ROTATE THE ORDER OF THE NAMES AND TELEPHONE
15 NUMBERS ON THE LIST.

16 B. The sheriff or keeper of ~~the~~ A COUNTY OR CITY jail shall not
17 recommend any ~~authorized~~ bail bond agent, PRIVATE PERSON OR PRIVATE COMPANY
18 to a person charged with a bailable offense in the sheriff's or keeper's
19 custody ~~and shall rotate quarterly the order of the names and telephone~~
20 ~~numbers of the authorized bail bond agents listed.~~

21 C. The sheriff or keeper of ~~the~~ A COUNTY OR CITY jail in the county OR
22 CITY in which criminal charges are filed or in which the person charged is
23 jailed shall accept the bond from any person.

24 D. THE SHERIFF OR KEEPER OF A COUNTY OR CITY JAIL SHALL ACCEPT THE
25 SECURED APPEARANCE BOND FROM AN EMPLOYEE OF A BAIL BOND AGENT IF THE EMPLOYEE
26 HAS PROPER BAIL AGENCY IDENTIFICATION.

27 E. IF BAIL IS AUTHORIZED BY THE COURT, THE SHERIFF OR KEEPER OF A
28 COUNTY OR CITY JAIL SHALL DIRECTLY ACCEPT SECURED APPEARANCE BONDS, MONEY
29 ORDERS, CASHIER'S CHECKS OR CASH IN FIFTY DOLLAR INCREMENTS OR LESS FOR THE
30 RELEASE OF PERSONS IN THE CUSTODY OF THE SHERIFF OR KEEPER.

31 F. EXCEPT PURSUANT TO SUBSECTION A OF THIS SECTION, A PRIVATE COMPANY
32 SHALL NOT SOLICIT BAIL BOND BUSINESS INSIDE OR WITHIN TWO HUNDRED FEET OF ANY
33 ENTRANCE TO A COURT BUILDING OR A COUNTY OR CITY JAIL. A PERSON WHO VIOLATES
34 THIS SUBSECTION IS GUILTY OF A CLASS 3 MISDEMEANOR. FOR THE PURPOSES OF THIS
35 SUBSECTION, "SOLICIT" INCLUDES HANDING OUT BUSINESS CARDS OR ANY PRINTED
36 MATERIAL RELATED TO BAIL BONDS, VERBALLY ASKING A PERSON IF THE PERSON NEEDS
37 A BAIL BOND AND RECRUITING ANOTHER PERSON TO SOLICIT BAIL BOND BUSINESS.
38 THIS SUBSECTION DOES NOT APPLY TO ANY PERSON WHO SOLICITS INSIDE THE PHYSICAL
39 BUSINESS OF A PRIVATE COMPANY THAT IS LOCATED WITHIN TWO HUNDRED FEET OF THE
40 ENTRANCE TO A COURT BUILDING OR A COUNTY OR CITY JAIL.