

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1075 Session of
2001

INTRODUCED BY GREENLEAF, COSTA, LEMMOND, EARLL, HELFRICK,
O'PAKE, SCHWARTZ, DENT, LAVALLE, TARTAGLIONE AND WAGNER,
OCTOBER 1, 2001

REFERRED TO JUDICIARY, OCTOBER 1, 2001

AN ACT

1 Regulating bail bond enforcement agents; requiring licensure and
2 registration; and providing for penalties.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Bail Bond
7 Enforcement Agent Law.

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall
10 have the meanings given to them in this section unless the
11 context clearly indicates otherwise:

12 "Bail bond enforcement agent." A person who has a license
13 under this act to recapture suspects who are released on bail.

14 Section 3. Prohibition.

15 (a) General rule.--No person shall represent himself as or
16 act in the capacity of a bail bond enforcement agent in this
17 Commonwealth unless the person has met the requirements of this

1 act.

2 (b) Penalty.--A person who violates this section commits a
3 misdemeanor of the first degree.

4 Section 4. License requirements.

5 (a) Lethal Weapons Training Act.--In order to be licensed as
6 a bail bond enforcement agent, an applicant shall meet the
7 requirements of and complete the training under the act of
8 October 10, 1974 (P.L.705, No.235), known as the Lethal Weapons
9 Training Act.

10 (b) Application.--An applicant for a bail bond enforcement
11 agent license shall apply to the court of common pleas of the
12 county in which the applicant's principal place of business is
13 located. The application shall be on a form provided by the
14 court and shall require:

15 (1) The applicant's name, address, telephone number and
16 such other information as the court may require.

17 (2) A certification that the applicant has met the
18 requirements of and completed the training required by the
19 Lethal Weapons Training Act.

20 (c) License.--The bail bond enforcement agent license shall
21 be valid for five years unless suspended or revoked for cause by
22 the court. The court may establish fees for issuing and renewing
23 a license under this act.

24 (d) Prohibitions.--Except as hereinafter provided, no
25 license shall be issued to any person who has been convicted in
26 this Commonwealth or any other state or territory of a felony or
27 whose license has been previously revoked by the court of common
28 pleas or the authorities of any other state or territory because
29 of conviction of any crime. The provisions of this subsection
30 shall not prevent the issuance of a license to any person who,

1 subsequent to his conviction, shall have received executive
2 pardon removing this disability.

3 Section 5. Local law enforcement.

4 (a) Notice requirement.--A bail bond enforcement agent who
5 enters into a municipality in pursuit of and for the purpose of
6 capturing a suspect shall, prior to taking any action in his
7 capacity as a bail bond enforcement agent, notify the chief of
8 police of the municipality in which the surveillance or
9 apprehension is to take place. Notification shall be by
10 registration on a form provided by the municipal police and
11 shall include information identifying the bail bond enforcement
12 agent as a licensed agent, the suspect and the location of the
13 suspect in the municipality. In case of exigent circumstances,
14 written notification shall not be required so long as prior oral
15 notification is made and the written report is submitted within
16 24 hours after any action has been instituted within the
17 municipality. If the municipality does not have a police
18 department, notification shall be made to the Pennsylvania State
19 Police.

20 (b) Out-of-State agent.--If the bail bond enforcement agent
21 is not a resident of this Commonwealth, the agent must be
22 licensed in the agent's state of residence. The license
23 requirements in the agent's state of residence must be
24 substantially the same as the requirements for licensure under
25 this act.

26 (c) Penalty.--A person who violates this section commits a
27 misdemeanor of the first degree.

28 Section 6. Civil damages.

29 Any bail bond enforcement agent who wrongfully causes damage
30 to any person or property, including, but not limited to,

1 trespass, unlawful arrest, unlawful detainment or assault, shall
2 be liable for such damages and may be liable for punitive
3 damages.

4 Section 7. Effective date.

5 This act shall take effect in 120 days.