

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SENATE BILL 686

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Leonard Lee Rawson

AN ACT

RELATING TO BAIL BONDSMAN; PERMITTING LICENSED INSURANCE
AGENTS TO TAKE THE BAIL BONDSMAN EXAMINATION WITHOUT MEETING
THE EDUCATION REQUIREMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 59A-51-4.1 NMSA 1978 (being Laws
1999, Chapter 296, Section 1) is amended to read:

"59A-51-4.1. EDUCATIONAL REQUIREMENTS. --

A. Unless the education requirement is excused
pursuant to Subsection C of this section, in order to be
eligible to take the examination required to be licensed as a
bail bondsman, the applicant shall complete not less than
thirty clock hours of formal classroom education in subjects
pertinent to the duties and responsibilities of a bail
bondsman, including ethics and all laws and rules related to

. 136441. 2

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 the bail bond business. In addition, the applicant shall
2 complete one hundred twenty hours of on-the-job training under
3 the direct supervision of a sponsoring bail bondsman who shall
4 certify in writing that he has taught the applicant the
5 subjects pertinent to the duties and responsibilities of a
6 bail bondsman, including ethics and all laws and rules related
7 to the bail bond business, and that the applicant is prepared
8 to take the examination. The scope of the examination shall
9 be as broad as the bail bond business.

10 B. Instead of the education requirement in
11 Subsection A of this section, an applicant may become eligible
12 to take the examination required to be licensed as a bail
13 bondsman by apprenticing for a minimum of six months with a
14 sponsoring bail bondsman. The sponsoring bail bondsman shall
15 certify in writing that he has taught the applicant the
16 subjects pertinent to the duties and responsibilities of a
17 bail bondsman, including ethics and all laws and rules related
18 to the bail bond business, and that the applicant is prepared
19 to take the examination. The scope of the examination shall
20 be as broad as the bail bond business.

21 C. An applicant desiring to be licensed to act as
22 a limited surety agent is eligible to take the examination
23 without meeting the education or apprenticeship requirements
24 of Subsection A or B of this section if the applicant
25 demonstrates that he is employed by an insurance company

underscored material = new
[bracketed material] = delete

1 authorized to do business in New Mexico and is licensed as an
2 insurance agent by the insurance division of the public
3 regulation commission pursuant to Section 59A-11-1 NMSA 1978
4 and fulfills the requirements of Section 59A-51-5 NMSA 1978.

5 ~~[C.]~~ D. In order to be eligible to take the
6 examination required to be licensed as a solicitor, each
7 person shall complete not less than ten clock hours of formal
8 classroom education in subjects pertinent to the duties and
9 responsibilities of a solicitor, including ethics and all laws
10 and rules related to the bail bond business. In addition, the
11 applicant for a solicitor's license shall complete thirty
12 hours of on-the-job training under the direct supervision of a
13 sponsoring bail bondsman who shall certify in writing that he
14 has taught the applicant the subjects pertinent to the duties
15 and responsibilities of a solicitor, including ethics and all
16 laws and rules related to the bail bond business, and that the
17 applicant is prepared to take the examination. The scope of
18 the examination shall be as broad as the bail bond business.

19 ~~[D.]~~ E. Prior to renewal of a bail bondsman's or
20 solicitor's license, a licensee shall complete annually not
21 less than fifteen clock hours of continuing education in
22 subjects pertinent to the duties and responsibilities of a
23 bail bondsman or solicitor, including ethics and all laws and
24 rules related to the bail bond business. Such continuing
25 education shall not include a written or oral examination.

underscored material = new
[bracketed material] = delete

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

~~[E-]~~ F. A provider approved by the superintendent to offer prelicensing classroom education for bail bondsmen or continuing education classes for bail bondsmen and solicitors shall be required to offer such classes in at least two geographic areas of the state until such time as the superintendent determines that sufficient classes are available statewide.

~~[F-]~~ G. It is a violation of the New Mexico Insurance Code for a person to falsely represent to the superintendent that the education requirements of this section have been complied with.

~~[G-]~~ H. The superintendent shall adopt and promulgate such rules as are necessary for the effective administration of this section. "