

**TITLE 365. INSURANCE DEPARTMENT
CHAPTER 1. ADMINISTRATIVE OPERATIONS
SUBCHAPTER 9. DESCRIPTION OF FORMS AND INSTRUCTIONS**

RULEMAKING ACTION:

PERMANENT final adoption

RULES:

Subchapter 9. Description of Forms and Instructions
365:1-9-18. Bail bond forms [AMENDED]

AUTHORITY:

Insurance Commissioner, 59 O.S. § 1302

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The rules were approved by the Legislature in House Joint Resolution 1058, signed by the Governor on May 24, 2013.

Final adoption:

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SUPERSEDED EMERGENCY ACTIONS:

n/a

INCORPORATIONS BY REFERENCE:

n/a

ANALYSIS:

The amendment to 365:1-9-18 updates the requirements for the bail bondsman application by requiring the applicant complete the application and comply with pertinent statutes. It also clarifies language that the bondsman execute a “pledge of the certificate of deposit” and an “assignment of the annuity deposit” regarding payment of unpaid bond forfeitures. The amended language adds that the license reinstatement period be a period of within one year after the expiration date and that a reinstatement fee shall be double the license fee. It also adds that name changes for individual licenses require proper documentation at the time of the request.

CONTACT PERSON:

Buddy Combs, Assistant General Counsel, Oklahoma Insurance Department, 3625 NW 56th St., Suite 100, Oklahoma City, OK 73112, (405) 521-2746

PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING RULES ARE CONSIDERED FINALLY ADOPTED AS SET FORTH IN 75 O.S., SECTION 308.1(A), WITH AN EFFECTIVE DATE OF JULY 14, 2013:

SUBCHAPTER 9. DESCRIPTION OF FORMS AND INSTRUCTIONS

365:1-9-18. Bail bond forms

(a) **Application for bail bondsman license form.** Unless otherwise provided by electronic means by the Insurance Commissioner or an administrator approved by the Commissioner, bail bond applications must be completed by the person making application and, upon completion, must comply with the applicable Oklahoma statutes. ~~The application for a bail bondsman's license form is to be completed by the person making application, and includes~~ shall include the license fee, a complete set of fingerprints, ~~two~~one recent credential-size full face ~~photographs~~photograph, an investigative fee and evidence of completion of ~~twenty (20)~~sixteen (16) hours of education. ~~The fee for examination shall be submitted after approval of the application, but prior to taking the examination.~~ The Commissioner may propose any reasonable interrogatories to an applicant for a license.

(b) **Bail bondsman license forms.** The bail bondsman license form, executed under the hand and seal of the Insurance Commissioner, upon execution and delivery, is evidence of an individual's authority to act as a bail bondsman within Oklahoma.

(c) **Bail bond appointment form.** The bail bond appointment form (~~BR-11~~) is to be completed by ~~an~~ a ~~surety insurer/professional~~ when appointing specific surety bondsmen as agents of the ~~surety insurer/professional and at the yearly renewal of surety/professional appointments.~~

(d) **Bail bond appointment cancellation form.** The notice of cancellation of bondsman ~~surety insurer/professional~~ appointment form is to be used by a ~~surety insurer/professional~~ when they desire to cancel the appointment of a surety bondsman.

~~(e) **Bail bond license status form.** The Bail Bond License Status form is completed by the Department and mailed to the appropriate court clerk for any status change pertaining to a licensed bondsman.~~

~~(f)~~(e) **Professional bondsman securities deposit/withdrawal form.** The deposit/withdrawal form (State Form 31) is used for all professional bondsmen for depositing/withdrawing securities with the State Treasurer through the Insurance Commissioner's office.

~~(g)~~(f) **Pledge of Account form.** The bondsman shall execute ~~an assignment~~a pledge of the certificate of deposit to the Insurance Commissioner for the payment of unpaid bond forfeitures.

~~(g)~~ **Assignment of Account form.** The bondsman shall execute an assignment of the annuity deposit to the Insurance Commissioner for the payment of unpaid bond forfeitures.

~~(h) **Acknowledgement of Notice form.** The Acknowledgement of Notice form is to be completed by the Financial Institution acknowledging receipt of a signed copy of the pledge of account on each professional deposit.~~

(h) **Proof of courses.** As a prerequisite for submission of a renewal or reinstatement

application, when requested by the Insurance Commissioner, each licensee shall have completed the total number of continuing education hours required.

(i) **Required submissions for reinstatement.** After the license expires and within one year after the license expiration date, a licensee shall be eligible for reinstatement by completing required Continuing Education and submitting a new application and double the license fee. A licensee shall not be eligible for reinstatement if previously the license was revoked, suspended, or continuance was denied.

(j) **Name change on an individual license.** Name changes for an individual license require proper documentation at the time of the written request, such as a copy of a court order, marriage license, or divorce decree. A duplicate license fee shall be submitted for a new licensed to be issued