

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 458
Commerce Committee Substitute Adopted 4/22/09
Third Edition Engrossed 4/29/09
PROPOSED HOUSE COMMITTEE SUBSTITUTE S458-PCS85255-RQ-40

Short Title: GED HS Diploma/No Drug Convict/Bail Bondsman.

(Public)

Sponsors:

Referred to:

March 9, 2009

A BILL TO BE ENTITLED

AN ACT REQUIRING AN APPLICANT FOR LICENSURE AS A BAIL BONDSMAN OR RUNNER TO HAVE OBTAINED A HIGH SCHOOL DIPLOMA OR ITS EQUIVALENT; TO REQUIRE A RENEWAL APPLICATION AND CRIMINAL HISTORY RECORD CHECK FOR RENEWING A LICENSE; TO PROVIDE THAT A LICENSEE SHALL PAY FOR THE COSTS OF A CRIMINAL HISTORY RECORD CHECK WHEN RENEWING A LICENSE; TO PROHIBIT THE RENEWAL OF A LICENSE OF A LICENSEE WHO HAS BEEN CONVICTED OF A MISDEMEANOR DRUG CHARGE; AND TO PROHIBIT A PERSON FROM BEING LICENSED IF THE PERSON IS CONVICTED OF A MISDEMEANOR DRUG VIOLATION WITHIN THE PREVIOUS TWENTY-FOUR MONTHS OF THE DATE OF THE APPLICATION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 58-71-50(b) is amended by adding a new subdivision to read:

"(b) Every applicant for a license under this Article as a bail bondsman or runner must meet all of the following qualifications:

...

(1a) Have obtained a high school diploma or its equivalent."

SECTION 2. G.S. 58-71-75 reads as rewritten:

§ 58-71-75. Renewal fees. Application for license renewal; criminal history record checks and fees required to renew license.

(a) A bail bondsman or runner who wishes to renew a license shall provide the Commissioner, not less than 30 days prior to the expiration date of the bail bondsman or runner's current license, all of the following:

(1) A renewal application providing the information required by:

a. G.S. 58-71-50(a)(2);

b. G.S. 58-71-50(a)(5) through G.S. 58-71-50(a)(7); and

c. G.S. 58-2-69.

(2) The renewal fee as provided in subsection (c) of this section.

(3) A complete set of fingerprints of the bail bondsman or runner. The fingerprints shall be submitted in the manner prescribed by the Commissioner and shall be certified by an authorized law enforcement officer.



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1 **(b)** The fingerprints of every bail bondsman or runner seeking to renew a license shall
2 be forwarded by the Commissioner to the State Bureau of Investigation for a State criminal
3 history record check. If warranted, the State Bureau of Investigation shall forward a set of
4 fingerprints to the Federal Bureau of Investigation for a national criminal history record check.
5 A licensee seeking a renewal license shall pay the cost of the State and national criminal history
6 record check of the licensee.

7 **(c)** The renewal fee for a runner's license is sixty dollars (\$60.00). The renewal fee for a
8 bail bondsman's license is one hundred dollars (\$100.00). A renewed license continues in effect
9 until suspended or revoked for cause."

10 **SECTION 3.** G.S. 58-71-80 is amended by adding the following new subsections
11 to read:

12 **"(b1)** The Commissioner shall deny, revoke, or refuse to renew any license under this
13 Article if the licensee has been convicted on or after October 1, 2009, of a misdemeanor drug
14 violation under Article 5 of Chapter 90 of the General Statutes.

15 **(b2)** The Commissioner shall deny any license under this Article if the applicant has
16 been convicted of a misdemeanor drug violation under Article 5 of Chapter 90 of the General
17 Statutes within the previous 24 months of the date of the application for the license."

18 **SECTION 4.** This act is effective when it becomes law.