

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE PRINCIPAL CLERK

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HOUSE DRH90040-LH-189 (03/26)

Short Title: Bail Bondsman Credentials/Official Shield. (Public)

Sponsors: Representatives Malone, Moffitt, and Faircloth (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT OFFICIAL CREDENTIALS OF A BAIL BONDSMAN SHALL INCLUDE AN OFFICIAL SHIELD AND TO PROVIDE FOR THE DESIGN OF THE SHIELD.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 58-71-40(d) reads as rewritten:

"(d) When a license is issued under this section, the Commissioner shall ~~issue~~ authorize the issuance of official credentials to the licensee. Such credentials shall include a picture identification card, of design, size, and content approved by the Commissioner, to the licensee. Each licensee must carry this card at all times when working in the scope of the licensee's employment. The official credentials shall also include an official shield provided by the Commissioner upon request of the licensee. The shield shall be a duplicate of the shield currently pictured in 12 NCAC 07D .0405 and shall be gold with blue lettering, shall include the licensee's last name and corresponding license number, and the words "Bail Agent" shall replace the words "Private Investigator." While engaged in the official duties, a licensee shall be allowed to carry, possess, and display a shield. Any deviation from the approved design shall be deemed an unauthorized shield and shall constitute a violation of the statute by the licensee. A licensee whose license terminates or is terminated shall surrender the identification card and shield to the Commissioner within 10 working days after the termination. The Commissioner may contract directly with persons for the processing and issuance of picture identification cards and shield required by this section and may charge a reasonable fee in addition to the license fee charged under G.S. 58-71-55 in an amount that offsets the cost of the service, including the costs associated with the contract authorized by this subsection. Contracts entered into pursuant to this subsection shall not be subject to Article 3 of Chapter 143 of the General Statutes. However, the Commissioner shall: (i) submit all proposed contracts for supplies, materials, printing, equipment, and contractual services that exceed one million dollars (\$1,000,000) authorized by this subsection to the Attorney General or the Attorney General's designee for review as provided in G.S. 114-8.3; and (ii) include in all contracts to be awarded by the Commissioner under this subsection a standard clause which provides that the State Auditor and internal auditors of the Commissioner may audit the records of the contractor during and after the term of the contract to verify accounts and data affecting fees and performance. The Commissioner shall not award a cost plus percentage of cost agreement or contract for any purpose."

SECTION 2. This act becomes effective October 1, 2013, and applies to licenses issued on or after that date.



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