



**OKLAHOMA INSURANCE DEPARTMENT
STATE OF OKLAHOMA**

BULLETIN NO. BB 2013-02

TO: ALL BAIL BONDSMEN LICENSED IN THE STATE OF OKLAHOMA;
EACH OF THE SEVENTY-SEVEN (77) DISTRICT COURT CLERKS, THE
OKLAHOMA CITY MUNICIPAL COURT CLERK, AND THE TULSA
MUNICIPAL COURT CLERK.

RE: CASH BONDS, 59 O.S. §1303(A)

FROM: OKLAHOMA INSURANCE DEPARTMENT

DATE: November 5, 2013

Title 59, Section 1303 of the Oklahoma Statutes prohibits an unlicensed individual from acting as a bail bondsman, except in two very narrow circumstances:

A. No person shall act in the capacity of a bail bondsman or perform any of the functions, duties or powers prescribed for bail bondsmen under the provisions of Section 1301 et seq. of this title, unless that person shall be qualified and licensed as provided in Section 1301 et seq. of this title or as authorized pursuant to the Bail Enforcement and Licensing Act. Provided, however, none of the provisions or terms of this section shall prohibit any individual or individuals from:

1. Pledging real or other property as security for a bail bond for himself, herself or another in judicial proceedings who does not receive, or is not promised, a fee or charge for his or her services provided such person shall not be permitted to make in excess of ten bonds per year; or
2. Executing any bail bond for an insurer, pursuant to a bail bond service agreement entered into between such insurer and any automobile club or association, financing institution, insurance company or other organization or association, on behalf of a person required to furnish bail in connection with any violation of law arising out of the use of a motor vehicle.

Pursuant to 59 O.S. § 1303(A)(1), unlicensed individuals may pledge cash or property for a bail bond, provided that they do not charge for the service and they do not make more than 10 such bonds in a year. This statute was intended to allow people to secure the release of friends and

family members without using a bondsman. The law does not create a blanket exception which would allow a licensed bail bondsman without a cash or property line of authority to make a cash or property bond.

Any bondsman wishing to make cash or property bonds must obtain the proper line of authority before doing so.

If you have any concerns or wish to receive clarification on this or any other provision of the Bail Bond Act, Insurance Department personnel will gladly assist you.

QUESTIONS

Questions applicable to this bulletin should be submitted in written form to Buddy Combs (william.combs@oid.ok.gov) or Anna Denman (anna.denman@oid.ok.gov), Oklahoma Insurance Department, 3625 NW 56th Street, Suite 100, Oklahoma City, OK 73112.

The Oklahoma Insurance Department encourages readers of this bulletin to periodically check the Department's web site <http://www.ok.gov/oid> for news and updates to bulletins and other relevant material.