

TRAVIS COUNTY BAIL BOND BOARD

RULES AND REGULATIONS

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TRAVIS COUNTY BAIL BOND BOARD
RULES AND REGULATIONS

Pursuant to the provisions of Chapter 1704, Texas Occupations Code (hereafter, the “Code”), as amended, the following rules and regulations are adopted to govern the taking of bail bonds in Travis County, Texas.

A.

ORGANIZATION OF THE BOARD

1.

This board shall be known as the "Travis County Bail Bond Board" (hereafter, the “Board”).

2.

The Board shall meet at least once a month, and at other times at the call of the presiding officer. Notice shall be given pursuant to the Texas Open Meetings Act.

3.

Regular meetings of the Board shall be held in the Commissioners Courtroom – Executive Session Room of the Travis County Administrative Building, located at 700 Lavaca, Austin, Texas, at 12:30 p.m. on the first Wednesday of each month, unless a different location and time are specified in the call. Special meetings shall be held at the location and time specified in the call.

4.

All notices shall be posted on the bulletin board on the first floor of the Travis County Courthouse, 1000 Guadalupe, Austin, Texas.

5.

The Board shall employ a secretary, whose office shall be located in the offices of Travis County Pretrial Services. The secretary shall be responsible for supervising the receipt of applications; the preparation of agendas; the preparation and certification of records and transcripts of proceedings; the maintenance of records and minutes of meetings; the publication or posting of notices; and general matters not otherwise specifically assigned by these rules and regulations.

6.

The Board shall be composed of the following persons:

- (a) the Sheriff of Travis County or a designee from the Sheriff's office who must be the Sheriff's administrator or a deputy sheriff of the rank of at least sergeant;
- (b) a District Judge of Travis County having jurisdiction over criminal matters and designated by the presiding judge of the administrative judicial district;
- (c) the Travis County Judge, or a member of the Commissioners Court designated by the County Judge;
- (d) a Travis County Court at Law Judge having jurisdiction over criminal matters and designated by the Commissioners Court;
- (e) the Travis County District Attorney or an assistant district attorney designated by the District Attorney;
- (f) a licensed bail bond surety or agent for a corporate surety in the county elected under Section 1704.0535, or a bail bond surety or agent for a corporate surety licensed in the

county who is designated by the elected surety or agent;

(g) a Travis County Justice of the Peace;

(h) the Travis County District Clerk or the Clerk's designee;

(i) the Travis County Clerk or the Clerk's designee;

(j) the presiding judge of the municipal court system of the principal municipality in the county, or a municipal judge from the system designated by the presiding judge;

(k) the Travis County Treasurer or the Treasurer's designee; and

(l) a criminal defense attorney practicing in the county and elected by other attorneys whose principal places of business are located in the county and who are not legally prohibited from representing criminal defendants, or the designee of the elected criminal defense attorney.

7.

(a) Annually, the Board shall choose one of its members to serve as chairman until the next such annual election, unless s/he is sooner disqualified.

(b) In like manner, the Board shall choose a first vice-chairman who shall act in the temporary absence of the chairman. In the event the chairman is disqualified for any reason before the end of his/her term, the first vice-chairman shall automatically become the chairman.

(c) In like manner, the board shall choose a second vice-chairman who shall act as chairman in the temporary absence of both the chairman and the first vice-chairman. In the event the chairman is disqualified for any reason before the end of his/her term, and the vice-chairman automatically becomes chairman, or in the event the first vice-chairman is disqualified before the end of his/her term, the second vice-chairman shall automatically become the first vice-chairman. In either such event, or if the second vice-chairman becomes disqualified, at the next regular meeting a new second vice-chairman shall be chosen.

- (d) The County Attorney of Travis County shall be general counsel for the Board.
- (e) Four members of the board shall constitute a quorum.
- (f) All action by the Board shall require the vote of a majority of the members present.

8.

(a) The Board shall annually conduct a secret ballot election to elect the member of the Board who serves as the representative of licensed bail bond sureties by electing a licensed bail bond surety or agent for a corporate surety board member. Each individual licensed in the county as a bail bond surety or agent for a corporate surety is entitled to cast one vote for each licensed held. To vote, a licensed bail bond surety shall appear in person at the annual December meeting of the Bail Bond Board. To cast an absentee ballot, a licensed bail bond surety may send an electronic email to the Board's secretary during the two week period preceding the election. A plurality vote is required. In the event of a tie, the top two votes will have a runoff election at the next scheduled meeting. The term of office continues until a successor takes place.

(b) The Board shall annually conduct a secret ballot election to elect the member of the Board who serves as the representative of the criminal defense attorneys who practice in the county. Each attorney who has a principal place of business located in the county and who is not legally prohibited from representing criminal defendants in the county is entitled to cast one vote to elect the board member who is the criminal defense attorney representative.

Any attorney who practices criminal law in Travis County may apply for a place on the ballot by filing an application for a place on the ballot with the Board's secretary no later than one week before the election is to occur. Application shall be made on the prescribed form, which shall be available on the Bail Bond Board's website. Information concerning the

application process will be distributed through the Austin Bar Association, the Austin Criminal Defense Lawyers Association, the Capitol Area Private Defender Service, and by posting a notice on the Bail Bond Board’s website.

The Board will conduct the election during a meeting of the Austin Criminal Defense Lawyers Association. Information regarding time, date, and place of the meeting at which the election will be conducted shall be distributed through the Austin Bar Association, the Austin Criminal Defense Lawyers Association, the Capitol Area Private Defender Service, and by posting a notice on the Bail Bond Board’s website. Ballots will be distributed and collected by the Board’s secretary, who will maintain them in a sealed envelope in a secure place until the next meeting of the Bail Bond Board. At the first meeting of the Bail Bond Board following the election, the secretary shall tabulate the votes and announce the results to the Board.

9.

All proceedings not governed by specific statutory provisions or rules of this Board shall be conducted in accordance with Roberts Rules of Order, and the presiding officer of the Board shall be ex officio Parliamentarian.

B.

BOARD POWERS AND DUTIES

1.

Administrative

The Board shall:

(a) deposit fees collected pursuant to Chapter 1704 of the Texas Occupations Code in the general fund of Travis County;

- (b) supervise and regulate each phase of the bonding business in Travis County;
- (c) conduct hearings and investigations and make determinations relating to the issuance, denial, or renewal of licenses in Travis County;
- (d) issue licenses to qualified applicants and deny licenses to unqualified applicants;
- (e) conduct board business, including maintaining records and minutes.

2.

Enforcement

- (a) The Board shall:
 - (1) enforce Chapter 1704 of the Texas Occupations Code in Travis County;
 - (2) conduct hearings and investigations and make determinations relating to license suspension and revocation;
 - (3) suspend or revoke a license for a violation of Chapter 1704 of the Texas Occupations Code or a rule adopted by the Board pursuant to Chapter 1704; and
 - (4) require a record and transcription of each Board proceeding.
- (b) The Board may:
 - (1) compel the appearance before the Board of an applicant or license holder; and
 - (2) during a hearing conducted by the Board, administer oaths, examine witnesses, and compel the production of pertinent records and testimony by a license holder or applicant.

3.

The Board shall post a rule adopted or an action taken by the Board on the bulletin board on the first floor of the Travis County Courthouse, 1000 Guadalupe, Austin, Texas, for the 10

days preceding the date the rule or action takes effect.

4.

The Board shall publish a list of Travis County bail bond licensees, showing the name and license number of each licensee, the agent of each corporate licensee, the business name, business address, and business telephone number of each licensee or agent of a corporate licensee, and the expiration date of each license. The list shall be rotated every three months, so that each licensee appears at the top of the list for three months, then is rotated to the bottom of the list. New licensees shall be added at the bottom of the list. The Board shall publish a new list every three months, or at any time there is a change to the list. The Board shall cause the list to be posted in each court having criminal jurisdiction in Travis County, and shall provide the list to the Travis County Sheriff for posting in each location where prisoners are examined, processed, or confined.

5.

A list of each licensed bail bond surety and each licensed agent of a corporate surety in a county must be displayed at each location where prisoners are examined, processed, or confined. No sheriff, peace officer, or his deputy or employee, or clerk or deputy clerk of any court will permit any identifying or emphasizing mark to be made on such published list. If the published list be so marked, it shall be the responsibility of said peace officer or clerk to obtain a new unmarked list for display. No unlicensed person (even though exempt from licensing) may be placed on the list.

6.

The Board shall immediately notify each court with criminal jurisdiction and the Sheriff of Travis County of:

- (a) the suspension or revocation of a license issued under this chapter; and
- (b) the revocation of the authority of a license holder's agent.

7.

The Board shall promptly notify the Texas Department of Insurance if a corporation fails to pay a judgment of forfeiture as provided by Section 1704.204(a).

8.

Annually at its December meeting, and concurrently with its election of new officers, the Board shall choose three of its members to serve as members of the Site Visit Subcommittee. The Site Visit Subcommittee is responsible for visiting each bail bond surety licensed in Travis County once each calendar year to review the surety's compliance with record-keeping requirements and other requirements of the statutes and rules governing bail bond sureties. In addition, the Site Visit Subcommittee shall visit each newly licensed bail bond surety within ninety (90) days of licensure in Travis County. At each site visit, the Site Visit Subcommittee shall complete the checklist approved by the Board. The Subcommittee shall notify the Bail Bond Board secretary of its schedule for visits, and the secretary shall ensure that an appropriate item is placed on the agenda following each site visit so the subcommittee may make its report to the Board and the Board may take appropriate action.

C.

LICENSING REQUIREMENTS

1.

A person may not act as a bail bond surety or an agent for a corporate surety in Travis County unless the person holds a bail bond license issued by the Board pursuant to Chapter 1704 of the Code and these Rules and Regulations, or unless the person is an attorney licensed to

practice law in this state who represents the defendant in the criminal case for which the bond was given.

2.

An individual or corporation seeking a bail bond license shall file a sworn application for licensure, accompanied by a \$500 application fee. An application for an individual or a corporate bail bond license shall be on the forms adopted by this board and set forth as Appendices A and B, respectively, to these rules and regulations. Each application shall be submitted in the name of the individual or corporation seeking the license. Completed applications shall be submitted to the Board's secretary at the office of the Board, and may be submitted as an original with fifteen copies, or as an original with one copy in electronic format. The applicant shall redact all social security numbers and driver's license numbers from all copies.

3.

Where an enclosure or an appendix is required in connection with an application, it shall be firmly affixed to the application and included within the oath as if set forth in the body of the application.

4.

Where an applicant proposes to do business under an assumed name, proof shall be submitted showing registration of such assumed name with the County Clerk of Travis County.

5.

An application must be accompanied by three letters of recommendation, each from a person who is reputable and has known the applicant, or if the applicant is a corporation, the agent designated by the corporation in the application, for at least three years. The letters must sufficiently identify the person who is writing the recommendation, and they must be dated within 30 days of the date the application is submitted. The letters must state that the applicant (or corporate agent, as applicable) has a reputation for honesty, truthfulness, fair dealing, and competency, and they must recommend that the Board issue the license.

6.

The Board shall cause an investigation to be made of each applicant and persons working with or for the applicant as has been established by these rules or by resolution of the Board or as is required by law.

(a) The applicant shall be notified of any deficiencies in the application and given the opportunity to correct the deficiencies.

(b) Upon completion of such investigation, the secretary shall furnish a copy of all relevant reports and a copy of the application to each member of the Board prior to the meeting at which the application is to be considered.

(c) The application shall be considered at the first regular meeting of the Board after the investigation has been completed.

(d) All applicants shall fully cooperate with the Board in the investigation of their qualifications and shall furnish such records and other information as shall be deemed by the Board to be necessary to complete the investigation.

7.

Each applicant shall be notified by the secretary to appear in person, or in the case of a corporation, by designated representative and designated agent, before the board on the date his/her application is to be considered for such interrogation under oath as the board or any of its members shall deem proper.

8.

Discussion of applications and applicants shall be in open session.

9.

The board shall vote on each application separately.

10.

(a) A completed application for renewal of an existing license, along with all required attachments, must be on file with the Board no later than 31 days prior to the expiration of the license. The renewal application may be filed up to 90 days prior to the expiration of the license, and all information provided should be current as of 90 days prior to submission of the application. A renewal application shall be on the form provided by the Board, and shall be accompanied by a renewal fee of \$500.

(b) A license may be renewed for a period of 24 months from the date of expiration and may be renewed subsequently each 24 months in like manner, except that if a renewal applicant has held the license the applicant is seeking to renew for at least eight consecutive years without having been suspended or revoked, the board may renew the license for a period of 36 months from the date of expiration if the board: (1) knows of no legal reason why the license should not be renewed; and (2) determines that the applicant has submitted an annual financial report to the board before the anniversary date of the issuance of the applicant's license. A

license renewed for 36 months may be renewed subsequently each 36 months in a similar manner.

(c) Any actions required by a conditional renewal of a license must be completed no later than the expiration date of the original license.

11.

(a) Trust deeds executed under Sec. 1704.160(a)(1)(B) of the Code shall be recorded by the Travis County Clerk in the deed records of Travis County.

(b) Upon the written demand of a licensee whose real property the Board holds in trust, who discontinues the posting of bail (either voluntarily or otherwise), and who qualifies under Section 1704.210 of the Code for a return of his/her security, the presiding officer of the Bail Bond Board shall execute a release in proper form and provide the release to the licensee to be recorded in the deed records.

12.

(a) No person shall be licensed unless the Board determines that he or she possesses a reputation for honesty, truthfulness, competency and fair-dealing.

(b) No person shall be licensed who has been found by a court to be bankrupt or insolvent.

(c) No person shall be licensed who shall have been finally convicted after August 27, 1973, of a felony or a misdemeanor involving moral turpitude in any jurisdiction, unless the person was subsequently pardoned.

(d) No person shall be licensed who has in his or her employ a person who within the preceding ten years has been finally convicted of a felony offense or a misdemeanor involving moral turpitude in any jurisdiction, unless the employee was subsequently pardoned.

(e) No person shall be licensed unless the individual is a resident of this State and a citizen of the United States.

(f) No person shall be licensed unless the individual is at least 18 years of age.

(g) No person shall be licensed unless the individual possesses sufficient financial resources to meet the security requirements of Section 1704.160 of the Code, unless the person is acting only as an agent for a corporation holding a bail bond license.

(h) No person shall be licensed unless the person deposits security in the form of a cashier's check or certificate of deposit with the Travis County Treasurer, or executes a deed to real property in trust to the Board, with a value that is sufficient to meet the security requirements of the Code. A license holder must maintain the required amount of security during the time he/she holds the license.

(i) No corporation shall be licensed unless:

(1) it is chartered or admitted to do business in this state, and

(2) it is qualified to write fidelity, guaranty, and surety bonds under the Texas

Insurance Code.

(j) No person shall be licensed unless the person has, in the two years preceding the date a license application is filed, at least one year of continuous work experience in the bail bond business.

(k) No person shall be licensed unless the person has, in the two years preceding the date a license application is filed, completed at least eight hours of continuing legal education in

continuing legal education in criminal law courses or bail bond law courses that are approved by the State Bar of Texas and offered by an accredited institution of higher education in the State.

(l) No applicant shall be licensed if the applicant has an unpaid final judgment that has been unpaid for more than 30 days, and that arose directly or indirectly from a bond executed by the applicant as a surety or as an agent for a corporate surety, unless the applicant has deposited with the court cash or a supersedeas bond in the amount of the final judgment pending a ruling on a timely filed motion for new trial or an appeal of the judgment.

13.

A certificate of deposit that is deposited with the Travis County Treasurer as security for the bonding business of a licensee shall be titled as follows:

(a) For an individual licensee, “Travis County for the benefit of Individual Licensee Name dba Company Name.”

(b) For a corporate licensee, “Travis County for the benefit of Insurance Company Licensee Name for its agent, Agent Name dba Agent’s Company Name,” or “Travis County for the benefit of Insurance Company Licensee Name (for its agent, Agent Name dba Agent’s Company Name.)”

14.

(a) Licensees may place additional real property as collateral to their accounts, upon approval and acceptance by the Board at a regularly scheduled monthly meeting of the Board.

(b) Requests for withdrawal or exchange of collateral will be considered by the Board upon request by the licensee. Such requests, and any related paperwork, must be received by the Board’s secretary at least twenty-one (21) days prior to when the matter will be considered by

the Board. Withdrawals or exchanges are limited to no more than four (4) per fiscal year per licensee.

D.

BONDING BUSINESS

1.

The sheriff shall accept or approve a bail bond executed by a person who holds a bail bond license in Travis County if the bond is written for a felony or misdemeanor case, the bond is executed in accordance with the Code and these rules, and a bond is required as a condition of release for the defendant for whom the bond is executed.

2.

All licensees shall maintain records of every bond executed by the licensee. Such records shall include the following information:

- (a) the style and number of the case and the court in which in which the bond is executed;
- (b) the name of defendant released on bond;
- (c) the amount of bail set in the case;
- (d) the amount and type of security held by the license holder; and
- (e) a statement of whether the security held by the license holder is for the payment of a bail bond fee or to assure the defendant's appearance in court, and the conditions under which the security will be returned.

3.

A list of all the licensee's outstanding active bonds and bond forfeitures shall be submitted to the Board for inspection prior to each renewal of the bondsman's license.

4.

The records shall be maintained at the license holder's office location in Travis County, and shall be made available for inspection and/or copying by the Board or its authorized representative.

5.

(a) All licensees shall file a monthly accounting of the bonds they have written in the month and the bonds they held that were resolved in the month. The reports shall be sworn, and shall be filed with the secretary of the Board no later than the 15th day of the month following the month to which they pertain. The reports shall be submitted on the form adopted by the Board, which is attached hereto as Appendix C.

(b) If the secretary does not receive a licensee's monthly report by the 15th day of the month following the month to which it pertains, the secretary shall place an item on the agenda at the Board's next meeting to discuss suspension or revocation of the licensee's license, and shall send notice of a hearing on the matter to the licensee as required by the Code.

(c) The secretary shall review the monthly reports as they are submitted to determine whether a report reflects on its face that a licensee has exceeded the statutory bond writing limits of the security posted by the licensee. If a report reflects that such limit has been exceeded, the secretary shall immediately notify the Sheriff or his or her designee, and the surety who shall immediately be suspended from posting bonds in accordance with section F(4) of these Rules. A surety who has been suspended from posting bonds pursuant to this provision may have his or her privilege to write bonds reinstated by filing proof of compliance with his or her posting limits

with the secretary of the Board. If satisfactory proof is presented to the secretary, the secretary shall notify the Sheriff or his or her designee of the reinstatement of the surety's privilege to post bonds. Any action taken by the secretary pursuant to this rule shall be placed on the agenda for ratification by the Board at its next regular meeting.

(d) Monthly reports submitted by companies subject to statutory limits on the dollar amount of bonds written shall be reviewed once per quarter to ensure that the reports are accurate and correctly reflect that such companies have not exceeded the statutory limits. The board secretary shall provide copies of monthly reports to the Treasurer on the schedule and in the format requested by the Treasurer. The County and District Clerks shall pull information from the county FACTS system and provide spreadsheets to the Treasurer reflecting activity by the bond company under review, so the Treasurer can evaluate the accuracy of the monthly reports and ensure that the company has not exceeded statutory limits. If the Treasurer determines that such limit has been exceeded, the Treasurer shall notify the board secretary, who shall immediately notify the Sheriff or his or her designee, and the surety who shall immediately be suspended from posting bonds in accordance with section F(4) of these Rules. A surety who has been suspended from posting bonds pursuant to this provision may request that his or her privilege to write bonds be reinstated by filing proof of compliance with his or her posting limits with the secretary of the Board. The secretary shall forward any such information to the Treasurer for review. If the Treasurer determines that the information presented constitutes satisfactory proof of compliance, the Treasurer shall notify the secretary, and the secretary shall notify the Sheriff or his or her designee of the reinstatement of the surety's privilege to post bonds. Any action taken by the Treasurer and/or the secretary pursuant to this rule shall be placed on the agenda for ratification by the Board at its next regular meeting.

6.

Appendix D, attached hereto, outlines procedures that may be followed by a surety who wishes to limit his or her liability by arranging for extradition of a defendant who has forfeited a bond.

7.

All licensees are required to update any and all information provided in the licensee's Application to Write Bail Bonds in Travis County, Texas, in writing to the Bail Bond Board Secretary within seven (7) working days of the date the information changes. Information required to be updated includes, but is not limited to, a change of address, telephone number, fax number, email address, or website address, the names of new employees working for the bonding agent, and the name and address of a corporate licensee's new registered agent for service. A licensee must submit a DPS criminal history for each new employee to the Board's secretary. A new employee is not permitted to work in any aspect of the bonding business until the criminal history is reviewed by the Board's counsel to ensure that the requirements of the Texas Occupations Code and the Travis County Bail Bond Board's Rules and Regulations are met.

8.

A licensee shall maintain a separate set of records for each bonding company the licensee operates.

9.

The Travis County Bail Bond Board recognizes that Texas Occupations Code 1704.213(a) provides that "A license holder shall maintain an office in the county in which the license holder holds a license" but does not define what constitutes an office or where such office

must be located in the county; Therefore, in accordance with the authority granted pursuant to Texas Occupations code 1704.101(4), the Travis County Bail Bond Board hereby enacts as part of its Rules and Regulations of the Travis County Bail Bond Board the following definition of the phrase “office in the county” contained in the Texas Occupations Code 1704.213(a), as follows:

All licensees and agents for corporate sureties shall maintain an office in Travis County in an area legally zoned for such use. An “office” is any location where a licensee or agent conducts bail bond business, maintains business records, employs staff, meets with clients, accepts payment of bonds, or installs and maintains an advertised phone number. Such office location is expressly prohibited in an area zoned as a single family residential district or any other type of residential zoning.

10.

A bail bond surety, an agent of a corporate surety, or an employee of the surety or agent may not make, cause to be made, or benefit from unsolicited contact in person or by telephone to solicit bonding business that occurs between the hours of 9 p.m. and 9 a.m.

E.

TAKING OF BAIL

1.

Bail posted in Travis County shall be posted only on the applicable forms attached as Appendix E to these rules and regulations.

2.

All licensed bondsmen and agents for corporations licensed under these provisions will be issued an identification certificate from the Bail Bond Board. This identification certificate must be presented each time a bond is made.

(a) The above-mentioned identification certificate shall be issued to licensed bondsmen or to designated agents for corporations licensed under these provisions upon original issuance or renewal of a license.

(b) Attorneys posting surety bonds must present their bar cards each time a bond is made.

(c) If a bail bond surety uses a runner for bonding activity, the surety must submit the name of the runner to the Travis County Sheriff's Office for approval before the runner may perform any activity on behalf of the surety. The Sheriff's Office may require identifying information sufficient to perform a background check on the proposed runner prior to allowing the runner perform such activity. No person who is not approved by the Sheriff's Office may perform such activity.

3.

A person posting bail under legal exemption from the license requirements of this act shall execute, under oath, an affidavit that he/she is worth, in his/her own right, and has property in this State subject to execution worth, after deducting property exempt from forced sale by the Constitution and laws of this State, and after payment of all his or her debts of every description, and after satisfying any encumbrance on his or her property, an amount that is at least twice the amount of the bond he/she is executing.

4.

As to bail bonds for prisoners in the Travis County Jail, or for persons who are to be delivered to the Sheriff of Travis County, such bail bonds shall not be effective until approved by the Sheriff of Travis County or one of his/her deputies.

5.

No agent of a corporate licensee will be permitted to sign as surety any bail bond unless the agent is listed as such in the application for a license submitted by the licensee.

6.

Each corporate licensee who permits its designated agent to sign as surety on bail bonds must have a power of attorney designating the agent of the corporation authorized to execute bail bonds on behalf of the corporation on file with the Travis County Clerk before the agent will be permitted to sign as surety on any bail bonds. A copy of such power of attorney shall be filed with the secretary of the Board. A corporation may limit the authority of a designated agent by specifying the limitation in the power of attorney that is filed with the County Clerk and the Board. No power of attorney may be revoked except by a written revocation filed with the Travis County Clerk. A copy of any such revocation must also be filed immediately with the secretary of the Board.

7.

All licensees and agents of corporate licensees are required to have on file in the Sheriff's office a signature card before they will be permitted to sign any bail bond as a surety. The Travis County Sheriff's Office shall maintain a list of approved runners for bail bond sureties, and no person may perform bonding activity on behalf of the surety unless his/her name appears on such list.

8.

All bail bonds made in Travis County shall be made in the Sheriff's office in the Travis County Criminal Justice Center, or at the Travis County Correctional Complex at Del Valle.

9.

Except as permitted by Section 1704.163 of the Code, no unlicensed person may sign as a co-surety on a bail bond, and the Sheriff of Travis County shall not accept any bail bond upon which appears the signature of a an unlicensed person who is not exempt from licensure under Section 1704.163, and who is purporting to be bound as a co-surety.

10.

An attorney surety who posts a bond must certify that he/she represents the defendant for whom the bond is posted in the criminal case for which the bond was given.

11.

A license holder shall maintain an office in the county in which the license holder holds a license. Not later than the seventh day after the date a license holder opens a new office or moves an office to a new location, the license holder shall notify the secretary of the Board of the location of the office.

F.

PROHIBITED CONDUCT AND PENALTIES

1.

No bail bond surety shall solicit bonding business in a police station, jail, prison, detention facility, or other place of detainment for persons in the custody of law enforcement, nor in a location visible from a place of detainment for persons in the custody of law

enforcement. The dissemination of personal or professional cards shall be deemed solicitation of bonding business, with the exception of dissemination of a single card to an individual who has requested it.

2.

(a) Advertisements on behalf of a bail bond surety in print, broadcast, or internet media shall contain enough information to identify the surety, including, but not limited to the following information:

(1) For an individual licensee, the proper name of the licensee, the license number, and the counties in which he or she is licensed;

(2) For a corporate licensee, the proper name of the corporation's agent for writing bonds, the corporation's license number relating to that agent, and the county in which the license was issued for that agent; and

(3) For an attorney surety, the proper name of the attorney.

(b) Such advertisements may contain additional information that is not misleading, including, as permitted by law or other applicable regulation, an assumed name that has been properly registered with the Travis County Clerk's Office.

(c) Attorney sureties must comply with all applicable statutes and the rules of the State Bar of Texas regarding attorney advertising.

(d) If an attorney has any listing and/or advertisement in any medium, including but not limited to any telephone directory, the internet, billboard, or newspaper, that relates to bail bond sureties, such advertisement must clearly indicate that the attorney is writing bonds as an attorney surety, and that the attorney may only write bonds for persons he or she represents in the criminal case for which the bond is given.

(e) Advertisements may not misrepresent the authority of a surety.

3.

After two instances of a bail bond surety or a bail bond surety's agent utilizing a check for which there are insufficient funds to pay a debt to Travis County arising from bail bond business, the Bail Bond Board may require the bail bond surety or bail bond surety's agent to pay all future debts to the County arising out of such business by cashier's check or money order.

4.

If a surety's monthly report to the Board reflects bonding activity in excess of the statutory limits of the security posted by the surety, the surety is automatically suspended from further bail bond activity. The surety's privilege to post bonds may be reinstated upon presentation of proof of compliance with his or her posting limits to the secretary of the Board. See Section D(5)(c) and (d) of these Rules.

5.

Complaints against bail bond licensees shall be lodged on the Bail Bond Complaint form marked as Appendix F to these rules. All such complaints shall be notarized.

6.

Annually at its December meeting, and concurrently with its election of new officers, the Board shall choose three of its members to serve as members of the Complaints Subcommittee. The Complaints Subcommittee is responsible for reviewing all complaints and for making determinations of whether the Board has authority to address allegations contained in such complaints. The Complaints Subcommittee shall make its determination within thirty (30) days of receiving a complaint. The Complaints Subcommittee shall present a summary of both the

complaint and the board's authority to address the complaint to the Board at the next scheduled meeting of the Board, and shall place the matter on the agenda of that meeting, subject to action by the Board.

7.

If the Board finds that an attorney has engaged in conduct that violated the Occupations Code or the Rules and Regulations of the Travis County Bail Bond Board, the Board shall forward to the State Bar of Texas all documentation relating to such matter, including a copy of the sworn complaint made to the Board, if any, and a copy of the Board's action taken. A copy of the Board's letter and any attachments shall be delivered to the subject attorney.

APPENDIX A



INDIVIDUAL APPLICATION FOR TRAVIS COUNTY BAIL BOND LICENSE

DATE OF APPLICATION: _____

LICENSEE: _____

D/B/A: _____

FOR RENEWAL ONLY:

ORIGINAL LICENSE DATE: _____

LICENSE NO. : _____

EXPIRATION DATE OF LICENSE: _____

**SUBMIT THE ORIGINAL APPLICATION TO:
Travis County Bail Bond Board
Vickie Riojas, Bail Bond Board Secretary
Executive Office Building
411 W. 13th Street, Room 601
Austin, Texas 78701**

SECTION I:
CHECKLIST OF DOCUMENTS REQUIRED
AT TIME OF SUBMITTING APPLICATION

1. One original completed application and all accompanying documents, plus one electronic copy of all documents except criminal histories and fee. **Please redact all social security numbers and driver's license numbers from electronic copy.**
2. \$500.00 non-refundable filing fee, in the form of a cashier's check, certified check, or money order, made payable to Travis County.
3. Current, complete, sworn financial statement using form attached to application.
4. Current, complete, sworn financial statement that complies with the regulations of the Travis County Bail Bond Board and supporting documentation.
5. Copy of assumed name certificate, if any, the original of which has been filed with the Travis County Clerk's Office.
6. Three (3) letters of recommendation for the Applicant for whom application is made. Letters must comply with the requirements listed in Texas Occupations Code § 1704.154.
7. Current photograph of Applicant (taken within six months of the filing of this application) or copy of driver's license.
8. Full set of fingerprints of Applicant for new applications only, to be taken by the Travis County Sheriff's Office, anyone designated by the sheriff, or by any other law enforcement agency. *(Original Applicants only)*
9. List of all outstanding bonds and outstanding bond forfeitures in Travis County. *(Renewal Applicants only).*
10. Documentation verifying completion of at least eight (8) hours of continuing legal education in criminal law or bail bond law courses.
11. Authorization for release of personal information executed by Applicant using Form attached.
12. Any additional pages necessary to provide information required by the code or this application.

13. DPS criminal histories for Applicant and all employees (original only, no copies required, as these will not be distributed).

**ALL REQUIRED DOCUMENTS MUST BE TURNED IN WITH THIS APPLICATION.
NO INCOMPLETE APPLICATIONS WILL BE ACCEPTED.**

**CHECKLIST OF DOCUMENTS REQUIRED WITHIN
NINETY (90) DAYS AFTER
CONDITIONAL APPROVAL OF APPLICATION**

1. If Applicant intends to secure Applicant's license with non-exempt real property, Applicant must submit all of the following:
 - A. General warranty deed conveying the property in trust to the Travis County Bail Bond Board;
 - B. Legal description;
 - C. Current statements from each taxing unit showing that there are no outstanding tax liens;
 - D. Valuation of the property;
 - E. Statement agreeing to pay all taxes on the property, not to further encumber the property without notification to and permission of the board, and to maintain insurance in the full amount of the value of the improvements on the property;
 - F. Copy of insurance policy on improvements; and
 - G. Sworn agreement by Applicant's spouse to transfer all the spouse's interest in the property, or statement that Applicant is not married.

2. If Applicant intends to secure their license with cash or a certificate of deposit, Applicant must submit one of the following:
 - A. Certified check from a federally insured financial institution in the amount of fifty thousand dollars (\$50,000.00) or more, made payable to the Travis County Treasurer for the benefit of Applicant;
 - B. Certificate of deposit from a federally insured financial institution in the amount of fifty thousand dollars (\$50,000.00) or more, made payable to the Travis County Treasurer for the benefit of Applicant;
or
 - C. United states currency in the amount of fifty thousand dollars (\$50,000.00) or more.

SECTION II

1. APPLICANT'S NAME: _____
2. DATE OF BIRTH: _____
3. AGE: _____
4. PLACE OF BIRTH: _____
5. DRIVER'S LICENSE OR ID CARD NUMBER : _____
6. S.S.N.: _____
7. RESIDENCE ADDRESS: _____

Telephone: _____

8. NAME UNDER WHICH BUSINESS WILL BE CONDUCTED:

9. BUSINESS STREET ADDRESS:

Office Telephone (Please list ALL telephone numbers):

FAX Number(s): _____

Cell Phone: _____

E-mail: _____

Website: _____

11. BUSINESS MAILING ADDRESS (If different than street address):

12. Are you a resident of Texas?

YES _____ NO _____

13. Are you a United States citizen?

YES _____ NO _____

14. If the application is approved, the Applicant intends to satisfy the requirement to provide collateral to secure payment of any obligations incurred by the Applicant in the bonding business pursuant to §1704.160 of the Code in the following manner:

_____ By depositing cash in the amount of \$ _____
(at least \$50,000.00) with the Travis County Treasurer.

_____ By assigning certificate(s) of deposit in the amount of \$ _____
(at least \$50,000.00) to the Travis County Treasurer.

_____ By delivering a cashier's check in the amount of \$ _____
(at least \$50,000.00) to the Travis County Treasurer.

_____ By conveying non-exempt real estate owned by Applicant by general warranty deed, in trust, to the Travis County Bail Bond Board. If non-exempt real property owned by Applicant is to be conveyed in trust to the board, any conveyance of property to the board must comply with the provisions of §§1704.155 and 1704.160 of the Code, and the following must be included for a legal description sufficient to convey the property by general every parcel listed:

- A. a legal description sufficient to convey the property by general warranty deed;
- B. current statements from each taxing unit authorized to impose taxes on the property showing that there are no outstanding tax liens against the property;
- C. a valuation of the property either by:

1. net value according to a current appraisal made by a real estate appraiser who is a member in good standing of a nationally recognized professional appraiser society or trade organization that has an established code of ethics, educational program, and professional certification program; or
 2. value according to a statement from the county's most recent certified tax appraisal roll;
- D. a statement by the Applicant that, while the property remains in trust, the Applicant;
1. agrees to pay the taxes on the property;
 2. agrees not to further encumber the property without notifying and obtaining permission from the Travis County Bail Bond Board; and
 3. agrees to maintain insurance without interruption on any improvements on the property against damage or destruction in the full amount of the value claimed for the improvements (attach copy of insurance policy);
- E. A statement of whether the Applicant is married; and
- F. If the Applicant is married, a sworn statement from the Applicant's spouse agreeing to transfer to the board, as part of the trust, any right, title, or interest that the spouse may have in the property.

15. Are you licensed as a bail bond surety in another county?

YES* _____ NO _____

*If YES, the following items must be attached to this application:

- A. a list of each county in which you hold a bail bond surety license; and
- B. a statement, as of the date of this application, of any final judgments that have been unpaid for more than 31 days and that arose directly or indirectly

from a bail bond executed by you as a surety or as an agent for a surety.

16. Have you been denied a license or had a license suspended or revoked in Travis County, Texas, or any other county in Texas in the past 12 months?

YES* _____ NO _____

*If YES, please explain on a separate sheet of paper attached to this application.

17. Have you ever been licensed to write bail bonds in Travis County?

YES* _____ NO _____

*If YES, provide the following information for each company operated by the Bonding Agent (please attach additional sheets as necessary):

A. Active Bonds

- (1) On how many active bonds do you appear as surety at this time?

- (2) What is the total value of those active bonds? _____

- (3) On a separate sheet of paper please list all your active bonds, including criminal cause number, defendant's name, and bond amount.

B. Bond Forfeitures

- (1) On how many, if any, bail bonds, do you appear that are currently in "bond forfeiture" status? _____

- (2) What is the total value of those bonds in "bond forfeiture" status?

- (3) On a separate sheet of paper, please list all bonds that are currently in "bond forfeiture" status, including criminal cause number, bond forfeiture cause number (if applicable), defendant's name, bond amount, and date of bond forfeiture.

C. Unsatisfied Judgments

- (1) How many, if any, unpaid final judgments do you have against you as surety on a bail bond at this time? _____
- (2) What is the total value of these judgments? _____
- (3) On a separate sheet of paper, please list all unpaid final judgments, including criminal cause number, bond forfeiture cause number, amount of judgment, and date of judgment.
- (4) Have you deposited cash or a supersedeas bond in the amount of any of these final judgments with the court pending a ruling on a timely filed motion for new trial or an appeal? _____

18. How long have you been engaged in the bail bond business? _____

19. In the two years prior to the date of this application, do you have at least one year of continuous work experience in the bail bond business?

YES* _____ NO _____

*If YES, please provide the following information (attach additional pages if necessary):

Name of Bail Bond Business: _____

Dates of Employment: _____

Job Title: _____

Address of Bail Bond Business: _____

Phone Number of Bail Bond Business: _____

Supervisor: _____

20. In the two years preceding the date of this application, have you completed at least eight (8) hours of continuing legal education in criminal law or bail bond law courses that are approved by the State Bar of Texas and that are offered by an institution of higher education accredited by the state?

YES* _____ NO _____

*If YES, please attach documentary evidence to this application of the title and date

of the course attended, as well as the hours of credit received.

21. Please attach three letters of recommendation written within thirty (30) days of the submission of this application that:

- A. are written on your behalf by reputable persons (on their letterhead or including all pertinent title or position and contact information) who have known you for at least three (3) years;
- B. verify that you have a reputation for honesty, truthfulness, fair dealing and competence; and
- C. recommend that the board issue a license to you.

22. Please list all assumed names for which you have a certificate registered with the Travis County Clerk's Office (attach copies).

23. Please list all your current employees, and include position and date of birth for each, and attach certified criminal histories from the Texas Department of Public Safety to this application for yourself and all employees. Criminal histories must be certified within 90 days of the date the application is filed with the Bail Bond Board.

EMPLOYEE'S LEGAL NAME	POSITION	DOB
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>

24. Have you or any of your proposed employees or agents ever been convicted of any misdemeanor involving moral turpitude or any felony offense in any court in this state or any other state or of the federal government, OR do you have any criminal charges of any nature pending?
YES* _____ NO _____
*If YES, on a separate sheet of paper, please provide date, name of person convicted or charged, offense, city and state, and disposition of the case.
25. Are you involved in any civil litigation at this time, or have you been involved in any civil litigation during the past five (5) years?
YES* _____ NO _____
*If YES, on a separate sheet of paper, please provide details identifying the litigation, including cause number, court, county, name of the parties, and jurisdiction where the litigation is pending
26. Please attach the completed and sworn Personal Financial Statement (see Attachment A).
27. Applicant affirms that at no time will they execute bail bonds in the aggregate to exceed their limits prescribed by Section 1704.203 of the Code.
28. Applicant affirms that in the event that **ANY INFORMATION** (including but not limited to a change of address, telephone number, fax number, email address, website address, and/or the names of the employees working for the bonding agent) on this application form should cease to be true and correct, the corrected information will be provided in writing to the Secretary of the Travis County Bail Bond Board within seven (7) working days of the date that such information changes. Applicant further affirms that for any new employee, a DPS criminal history for each new employee will be provided to the Secretary of the Travis County Bail Bond Board, and that the employee will not be permitted to work in

any aspect of the Applicant's bonding business until such criminal history is reviewed by the Board's counsel to ensure that the requirements of the Texas Occupations Code and the Travis County Bail Bond Board's Rules and Regulations are met.

I, _____, Applicant, do declare that I will comply with all provisions of Texas Occupations Code, Chapter 1704, all other statutes regulating any phase of the bail bonding business in the state and county, and all Rules and Regulations of the Travis County Bail Bond Board.

Applicant makes each of the foregoing statements, together with each statement in each enclosure hereto, for the purpose of inducing the Travis County Bail Bond Board, Travis County, Texas, to issue to Applicant a license to act as bondsman in the courts of Travis County, Texas, well knowing and understanding that any representation herein and therein which is not true and correct, or any misrepresentation or omission which causes the same not to truly and accurately demonstrate their personal and financial responsibility as a licensed bondsman in said courts, may result in the denial of said license, the denial of any renewal thereof, or in the revocation thereof should same be granted under this application.

DATE

SIGNATURE OF APPLICANT

STATE OF TEXAS

§

COUNTY OF TRAVIS

§

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and attachments, who having been by me duly sworn, deposes and says that Applicant signed the same in the capacity therein expressed, for the purposes and considerations expressed, and, further, that to Applicant's actual knowledge every statement contained therein together with all enclosures thereto, is true and correct.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the ____ day of _____, 20__.

Notary Public in and for
THE STATE OF TEXAS
My Commission Expires:_____

AUTHORIZATION FOR RELEASE OF PERSONAL INFORMATION

I, _____, do hereby authorize a review of and full disclosure of all records concerning myself to any duly authorized agent of the Travis County Bail Bond Board whether the said records are of a public, private or confidential nature.

The intent of this authorization is to give my consent for full and complete disclosure of the records of financial or credit institutions, including but not limited to records of loans, the records of commercial or retail credit agencies (including credit reports and/or ratings); and other financial statements and records wherever filed; employment and pre-employment records, including background reports, efficiency ratings, complaints or grievances filed by or against me; the records and recollections of attorneys at law, or of other counsel, whether representing me or another person in any case, either criminal or civil, in which I presently have or have had an interest and any additional records of information pertinent to my application for licensing as a bail bondsman or agent of a bail bonds company.

I understand that any information obtained during a background investigation which is developed directly or indirectly, in whole or in part, upon this release authorization will be considered in determining my suitability for licensing as a bail bondsman or agent of a bail bond company. I also certify that any person(s) who may furnish such information concerning me shall **NOT** be held accountable for giving this information; and I do hereby **RELEASE** said person(s) from any and all liability which may be incurred as a result of furnishing such information.

I understand that information received from all sources will be kept confidential and may not be released to either myself or any personnel not involved in the licensing process.

A photocopy of this release form will be valid as an original thereof, even though the said photocopy does not contain an original writing of my signature.

APPLICANT

Address:

DOB:

SSN:

Phone:

SUBSCRIBED AND SWORN TO before me by the said _____,
on this ___ day of _____, 20___, to certify which witness my hand and seal of
office.

NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

My Commission expires:_____

APPENDIX B



CORPORATE APPLICATION FOR TRAVIS COUNTY BAIL BOND LICENSE

DATE OF APPLICATION: _____

LICENSEE: _____

BONDING AGENT: _____

D/B/A: _____

FOR RENEWAL ONLY:

ORIGINAL LICENSE DATE: _____

LICENSE NO. : _____

EXPIRATION DATE OF LICENSE: _____

**SUBMIT THE ORIGINAL APPLICATION TO:
Travis County Bail Bond Board
Vickie Riojas, Bail Bond Board Secretary
Executive Office Building
411 W. 13th Street, Room 601
Austin, Texas 78701**

SECTION I:
CHECKLIST OF DOCUMENTS REQUIRED
AT TIME OF SUBMITTING APPLICATION

1. One original completed application and all accompanying documents, plus one electronic copy of all documents except criminal histories and fee. **Please redact all social security numbers and driver's license numbers from electronic copy.**
2. \$500.00 non-refundable filing fee, in the form of a cashier's check, certified check, or money order, made payable to Travis County.
3. Copy of the certificate of authority from the Texas State Board of Insurance reflecting that the corporation is authorized to conduct business in the state and is qualified to write fidelity, warranty, and surety bonds.
4. Current, complete, sworn financial statement that complies with the regulations of the Travis County Bail Bond Board and supporting documentation.
5. Copy of the power of attorney appointing Bonding Agent for whom application is made to act on behalf of the Corporate Applicant (original to be filed with Travis County Clerk).
6. Copy of assumed name certificate, if any, the original of which has been filed with the Travis County Clerk's Office.
7. Three (3) letters of recommendation for the Bonding Agent for whom application is made. Letters must comply with the requirements listed in Texas Occupations Code § 1704.154.
8. Current photograph of Bonding Agent (taken within six months of the filing of this application) or copy of driver's license.
9. Full set of fingerprints of Bonding Agent for new applications only, to be taken by the Travis County Sheriff's Office, anyone designated by the sheriff, or by any other law enforcement agency. *(Original applicants only)*
10. List of all outstanding bonds and outstanding bond forfeitures for bonding agent in Travis County. *(Renewal applicants only).*
11. Documentation verifying completion of at least eight (8) hours of continuing legal education in criminal law or bail bond law courses.

12. Any additional pages necessary to provide information required by the code or this application.
13. DPS criminal histories for Bonding Agent and all employees (original only, no copies required, as these will not be distributed).
14. After the Board has approved issuance of this license, corporate licensee must submit an acceptable collateral deposit such as certificate of deposit made payable to the Travis County Treasurer for the benefit of applicant, and must be from a federal insured financial institution, cash, or cashiers check, in the amount of at least \$50,000, made payable to the Travis County Treasurer.

**ALL REQUIRED DOCUMENTS MUST BE TURNED IN WITH THIS APPLICATION.
NO INCOMPLETE APPLICATIONS WILL BE ACCEPTED.**

SECTION II

1. Name of Corporate Applicant:

2. Corporate Applicant's Principal Place of Business:

Telephone: _____

Fax: _____

Corporate Website: _____

Contact Person Name: _____

Contact Person Telephone: _____

Contact Person Email: _____

3. Corporate Applicant's Registered Agent for Service:

Address: _____

Telephone: _____

Fax: _____

Email: _____

4. Name of Corporate Applicant's Bonding Agent for this Application:

5. Name under which Bonding Agent will conduct business:

6. Bonding Agent's Business Address (Street Address in Travis County):

Office telephone (please list ALL telephone numbers)

Cell phone: _____

Fax: _____

E-mail: _____

Website: _____

7. Is Corporate Applicant chartered or admitted to do business in the State of Texas, qualified to write fidelity, guaranty, and surety bonds under the Texas Insurance Code, and in good standing with the Texas Department of Insurance?

YES* _____ NO _____ YEAR CHARTERED _____

*If YES, attach a letter of good standing from the Texas Department of Insurance dated within 30 days of submitting this application.

*If YES, attach a copy of the Certificate of Authority to do business in the State of Texas issued pursuant to Section 861.102 of the Texas Insurance Code.

8. Is Corporate Applicant licensed as a bail bond surety in another county?

YES* _____ NO _____

*If YES, the following items must be attached to this application:

- (a) a list of each county in which Corporate Applicant holds a bail bond surety license, including names of Bonding Agents and businesses;

and

- (b) a list of all unpaid final judgments more than 30 days old against Corporate Applicant, including county holding judgment, principal defendant's name, bond forfeiture cause number, amount of judgment, and date of judgment; **OR** a statement by the Corporate Applicant that, as of the date of the application, Corporate Applicant has no final judgments of forfeiture against it that have been unpaid for more than 30 days.

9. Is Bonding Agent licensed as a bail bond surety in another county?

YES* _____ NO _____

*If YES, the following items must be attached to this application:

- (a) a list of each county in which Bonding Agent holds a bail bond surety license, including the names of the Bonding Agent's businesses; and
- (b) a list of all final judgments more than 30 days old pending against Bonding Agent, including county holding judgment, principal defendant's name, bond forfeiture cause number, amount of judgment, and date of judgment; **OR** a statement by the Bonding Agent that, as of the date of the application, Bonding Agent has no final judgments of forfeiture that have been unpaid for more than 30 days and that arose directly or indirectly from any bond executed by the agent as a surety or as an agent for a surety.

10. Has Corporate Applicant been denied a license or had a license suspended or revoked in Travis County, Texas, or any other county in Texas in the past 12 months?

YES* _____ NO _____

*If YES, please explain on a separate sheet of paper attached to this application.

11. Has Bonding Agent been denied a license or had a license suspended or revoked in Travis County, Texas, or any other county in Texas in the past 12 months?

YES* _____ NO _____

*If YES, please explain on a separate sheet of paper attached to this application.

12. Has Corporate Applicant or any principal, agent (including the Bonding Agent named in #4 above), or employee of the corporation ever been licensed to write bail bonds in Travis County?

YES* _____ NO _____

*If YES, on a separate sheet of paper, please list the names and addresses of those Bonding Agents, including the names of their businesses, and their license numbers.

13. Has Bonding Agent ever been licensed to write bail bonds in Travis County?

YES* _____ NO _____

*If YES, provide the following information for each company operated by the Bonding Agent (please attach additional pages as necessary):

A. Active Bonds

- (1) On how many active bonds does Bonding Agent appear as surety at this time?

- (2) What is the total value of those active bonds? _____

- (3) On a separate sheet of paper please list all of Bonding Agent's active bonds, including criminal cause number, defendant's name, and bond amount.

B. Bond Forfeitures

- (1) On how many, if any, bail bonds, does Bonding Agent appear that are currently in "bond forfeiture" status? _____

- (2) What is the total value of those bonds in "bond forfeiture" status?

- (3) On a separate sheet of paper, please list all bonds that are currently in "bond forfeiture" status, including criminal cause number, bond forfeiture cause number (if applicable), defendant's name, bond

amount, and date of bond forfeiture.

C. Unsatisfied Judgments

(1) How many, if any, unpaid final judgments does Bonding Agent have against them as surety on a bail bond at this time?

(2) What is the total value of these judgments? _

(3) On a separate sheet of paper, please list all unpaid final judgments, including criminal cause number, bond forfeiture cause number, amount of judgment, and date of judgment. Please note if a super-sedeas bond has been posted.

15. Does Corporate Applicant have any unpaid judgments more than 31 days old in Texas at this time?

YES* _____ NO _____

*If YES, on a separate sheet of paper, please provide criminal cause number, bond forfeiture cause number, defendant's name, date of the judgment, and amount of the judgment.

15. How long has Corporate Applicant been engaged in the bail bond business?

16. Information regarding Bonding Agent named in #4 above:

a. Bonding Agent's date of birth: _____

b. Bonding Agent's age: _____

c. Bonding Agent's place of birth: _____

d. Bonding Agent's driver's license or I.D. card number: _____

e. Bonding Agent's social security number: _____

f. Bonding Agent's residence address: _____

Telephone: _____

g. Is Bonding Agent a resident of Texas?

YES _____ NO _____

h. Is Bonding Agent a United States citizen?

YES _____ NO _____

i. How long has Bonding Agent been engaged in the bail bond business?

j. In the two years preceding the date of this application, does Bonding Agent have at least one year of continuous work experience in the bail bond business?

YES* _____ NO _____

*If YES, please provide the following information (attach additional pages if necessary):

Name of Bail Bond Business: _____

Dates of Employment: _____

Job Title: _____

Address of Bail Bond Business: _____

Phone Number of Bail Bond Business: _____

Supervisor: _____

k. In the two years preceding the date of this application, has Bonding Agent completed at least eight (8) hours of continuing legal education in criminal law or bail bond law courses that are approved by the State Bar of Texas and that are offered by an institution of higher education accredited by the state?

YES* _____ NO _____

*If YES, please attach documentary evidence to this application of the title and date of the course attended, as well as the hours of credit received.

1. Please list all current employees of Bonding Agent and include position and date of birth for each, and attach certified criminal histories from the Texas Department of Public Safety to this application for all employees, including bonding agent. Criminal histories must be certified within 90 days of the date the application is filed with the Bail Bond Board.

EMPLOYEE'S LEGAL NAME	POSITION	DOB

- m. Has the Bonding Agent or any of Bonding Agent's proposed employees or Agents ever been convicted of any misdemeanor involving moral turpitude or any felony offense in any court in this state or any other state or of the federal government, OR does Bonding Agent have any criminal charges of any nature pending?

YES* _____ NO _____

*If YES, on a separate sheet of paper, please provide date, name of person convicted or charged, offense, city and state, and disposition of the case.

- n. Is Bonding Agent involved in any civil litigation at this time, or has Bonding Agent been involved in any civil litigation during the past five (5) years?

YES* _____ NO _____

*If YES, on a separate sheet of paper, please provide details identifying the litigation, including cause number, court, county, name of the parties, and jurisdiction where the litigation is pending.

17. Corporate Applicant intends to satisfy the \$50,000 collateral requirement to secure

payment of any obligations incurred by the Applicant in the Bonding business if the license is granted, pursuant to §1704.160 of the Texas Occupations Code in the following manner:

- _____ \$50,000.00 (Fifty Thousand Dollars) in cash to be deposited with the Travis County Treasurer.
- _____ Certificate of Deposit in the amount of \$50,000.00 (Fifty Thousand Dollars) to the Travis County Treasurer.
- _____ Cashier's Check in the amount of \$50,000.00 (Fifty Thousand Dollars), made payable to the Travis County Treasurer.

18. Corporate Applicant and Bonding Agent affirm that in the event that **ANY INFORMATION** (including but not limited to a change of address, telephone number, fax number, email address, website address, the names of the employees working for the Bonding Agent, and/or the name and address of the Corporate Applicant's registered agent for service) provided on this application form should cease to be true and correct with regard to the corporation making the application or its agent, the corrected information will be provided in writing to the Secretary of the Travis County Bail Bond Board within seven (7) days of the date that such information changes. Applicant further affirms that for any new employee, a DPS criminal history for each new employee will be provided to the Secretary of the Travis County Bail Bond Board, and that the employee will not be permitted to work in any aspect of the Applicant's bonding business until such criminal history is reviewed by the Board's counsel to ensure that the requirements of the Texas Occupations Code and the Travis County Bail Bond Board's Rules and Regulations are met.

I, _____, authorized representative of Corporate Applicant, do declare that Corporate Applicant and any person(s) in its employ will comply with all provisions of Texas Occupations Code, Chapter 1704 (Vernon 2021), formerly Tex. Rev. Civ. Stat. Ann. art. 2372p-3; with all other statutes regulating any phase of the bail bonding business in the state and county; and with the Rules and Regulations of the Travis County Bail Bond Board.

Corporate Applicant makes each of the foregoing statements, together with each statement in each enclosure hereto, for the purpose of inducing the Travis County Bail Bond Board, Travis County, Texas, to issue to it a license to act as a bail bond surety in the courts of Travis County, Texas, well knowing and understanding that any representation herein and therein which is not true and correct, or any misrepresentation or omission which causes the same not to truly and accurately demonstrate Corporate Applicant's financial responsibility as a licensed surety in said courts, may result in the denial of said license, the denial of any renewal thereof, or in the revocation thereof should same be granted under this application.

Authorized Corporate Representative of
CORPORATE APPLICANT

DATE

Capacity: _____

STATE OF TEXAS §
COUNTY OF TRAVIS §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and attachments, who having been by me duly sworn, deposes and says that he signed the same in the capacity therein expressed, for the purposes and considerations expressed, and, further, that to his actual knowledge every statement contained therein together with all enclosures thereto, is true and correct.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the _____ day of _____, 20__.

Notary Public in and for
THE STATE OF TEXAS
My Commission Expires:

I, _____, as Bonding Agent for whom application is made to act on behalf of Corporate Applicant, do declare that I and any person(s) in my employ will comply with all provisions of Texas Occupations Code, Chapter 1704 (Vernon 2021), formerly Tex. Rev. Civ. Stat. Ann. art. 2372p-3; with all other statutes regulating any phase of the bail bonding business in the state and county; and with the Rules and Regulations of the Travis County Bail Bond Board.

Bonding Agent for whom application is made to act on behalf of Corporate Applicant makes each of the foregoing statements, together with each statement in each enclosure hereto, for the purpose of inducing the Travis County Bail Bond Board, Travis County, Texas, to issue to Corporate Applicant a license to act as a bail bond surety in the courts of Travis County, Texas, well knowing and understanding that any representation herein and therein which is not true and correct, or any misrepresentation or omission which causes the same not to truly and accurately demonstrate Corporate Applicant's financial responsibility as a licensed surety in said courts, may result in the denial of said license, the denial of any renewal thereof, or in the revocation thereof should same be granted under this application.

BONDING AGENT
for whom application is made

DATE

STATE OF TEXAS §
COUNTY OF TRAVIS §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and attachments, who having been by me duly sworn, deposes and says that Applicant signed the same in the capacity therein expressed, for the purposes and considerations expressed, and, further, that to Applicant's actual knowledge every statement contained therein together with all enclosures thereto, is true and correct.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the ____ day of
____, 20__ .

Notary Public in and for
THE STATE OF TEXAS
My Commission Expires:

AUTHORIZATION FOR RELEASE OF PERSONAL INFORMATION

I, _____, do hereby authorize a review of and full disclosure of all records concerning myself to any duly authorized agent of the Travis County Bail Bond Board whether the said records are of a public, private or confidential nature.

The intent of this authorization is to give my consent for full and complete disclosure of the records of financial or credit institutions, including but not limited to records of loans, the records of commercial or retail credit agencies (including credit reports and/or ratings); and other financial statements and records wherever filed; employment and pre-employment records, including background reports, efficiency ratings, complaints or grievances filed by or against me; the records and recollections of attorneys at law, or of other counsel, whether representing me or another person in any case, either criminal or civil, in which I presently have or have had an interest and any additional records of information pertinent to my application for licensing as a bail bondsman or agent of a bail bonds company.

I understand that any information obtained during a background investigation which is developed directly or indirectly, in whole or in part, upon this release authorization will be considered in determining my suitability for licensing as a bail bondsman or agent of a bail bond company. I also certify that any person(s) who may furnish such information concerning me shall **NOT** be held accountable for giving this information; and I do hereby **RELEASE** said person(s) from any and all liability which may be incurred as a result of furnishing such information.

I understand that information received from all sources will be kept confidential and may not be released to either myself or any personnel not involved in the licensing process.

A photocopy of this release form will be valid as an original thereof, even though the said photocopy does not contain an original writing of my signature.

Bonding Agent for the Corporate Applicant
DBA _____

Address:

DOB:

SSN:

Phone:

SUBSCRIBED AND SWORN TO before me by the said _____, on this ____ day of _____, 20____, to certify which witness my hand and seal of office.

NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

My Commission expires: _____

APPENDIX C

Bail Bond License Holder's Monthly Status Report

Summary and Affidavit

(Due 15 days after the end of each month. Include information from previous month.)

Month Covered by Report: _____

Date Filed: _____

Company Name: _____

Address: _____

Total Bond Liability Incurred in the Month of _____

Total Amount of Bond Forfeiture Status _____

Total Amount of Bonds Discharged in the Month of _____

Cumulative Total of ALL Current Bonds Held by Licensee or Coporate Licensee

(Including all Active Bonds and Forfeited Bonds): _____

AFFIDAVIT

State of Texas §

§

County of Travis §

I hereby swear or affirm that the information contained in the attached report is true and correct.

(Signature of Licensee or Agent of Licensee)

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed above, and who, having been by me duly sworn, deposes and says that he/she signed the same in the capacity therein expressed, and that the facts stated therein are within his/her personal knowledge and are true and correct.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 20____.

Notary Public in and for The State of Texas

My Commission Expires: _____

APPENDIX D

PROCEDURES FOR BONDSMEN TO PAY EXTRADITION COSTS

1. Bondsman makes a request to the DA that a warrant be entered on NCIC.
2. Bondsman must sign a statement (or affidavit) giving defendant's location.
3. Bondsman must sign an agreed settlement with the County Attorney's Office that includes the following costs to be incurred in extradition:
 - a. airfare;
 - b. estimated hotel cost;
 - c. estimated cost of rent car;
 - d. estimated per diem; and
 - e. estimated deputy salary (a standard amount, not based on a particular officer).
4. Settlement amount will also include court costs and standard County Attorney settlement amount (calculated at 5% per month from date of forfeiture+ 30 days). This amount may increase before defendant is returned to Travis County, but will become fixed at the time the defendant is arrested.
5. Order will specify that the extradition costs will be credited to the DA's extradition fund.
6. Bondsman agrees to pay the settlement amount when the person is arrested out of state, prior to travel by TCSO for extradition.
7. Defendant is arrested.
8. DA notifies bondsman.
9. Bondsman brings a check to the TCAO for the total amount of the settlement. I
0. TCSO sends an officer to pick up the defendant.

APPENDIX E

SURETY BOND

THE STATE OF TEXAS

CAUSE NUMBER _____

COUNTY OF _____

ISSUING COURT _____

KNOW ALL MEN BY THESE PRESENTS

APPEARANCE COURT _____

That we, _____ as principal, and _____, as surety(ies), are held firmly bound unto the State of Texas in the penal sum of \$ _____, for the payment of which sum, and all additional fees and expenses that may be incurred by peace officers in rearresting said principal if the conditions of this bond are violated, do bind ourselves, heirs, executors, and administrators jointly and severally by these presents. The condition of the above obligation is that whereas the above named principal stands charged by INFORMATION / COMPLAINT/ INDICTMENT with a MISDEMEANOR/ FELONY, to wit: _____ and the said principal was required to give bail in the above amount for his/her personal appearance before the _____ Court in _____ County, Texas (Travis County defendants report to Room 1.300, Blackwell-Thurman Criminal Justice Center, 509 W. 11th St., Austin, Texas) to answer the accusation against him/her,

If said principal shall well and truly make his/her personal appearance instanter/on the _____ day of _____, 20____, at _____: _____ M. before said Court, in said county, and further, makes his/her personal appearance before said Court or any court or magistrate before whom this cause may thereafter be pending at any time and place where his/her presence may be required under the law or by any court or magistrate at any proceeding that may be had relative to said charge, and there remain from day to day and from term to term of said Court until discharged by due course of law, then and there to answer said accusation against him/her, this obligation shall become void; otherwise the obligation shall remain in full force and effect.

Signed and dated this _____ day of _____, 20____

SIGNATURE OF PRINCIPAL (Defendant)

SIGNATURE OF SURETY(or agent of ins. co.)

SIGNATURE OF CO-SURETY, if any

ADDRESS

ADDRESS

ADDRESS

CITY STATE ZIP

CITY STATE ZIP

CITY STATE ZIP

PHONE

PHONE

PHONE

DEFENDANT'S DATE OF BIRTH: _____ - _____ - _____

SS#: _____ - _____ - _____ DRIVERS LICENSE #: _____

AFFIDAVIT OF SUFFICIENCY OF SURETIES

I do swear that I am worth, in my own right, at least the sum of \$ _____, after deducting from my property all that which is exempt by the Constitution and Laws of the State from forced sale, and after the payment of all my debts of every description, whether individual or security debts, and after satisfying all encumbrances upon my property which are known to me; that I reside in _____ County, and have property in this State liable to execution worth said amount or more.

Signature of Surety

Signature of Co-Surety, if any

I CERTIFY I AM THE ATTORNEY REPRESENTING THIS CLIENT ON THIS CHARGE: _____

Signature of Attorney

Subscribed and sworn to before me the _____ day of _____, 20____.

_____, Notary or other person authorized to administer
oath. Tx. Gov't. Code §602.002.
_____ " Title

SURETY'S LICENSE NUMBER OR STATE BAR NUMBER (REQUIRED): _____

CONDITIONS OF BOND _____

CERTIFICATE OF SOLVENCY

I hereby certify that the surety(ies) who have signed above has(have) ample good security for the amount specified, and has(have) property in this State subject to execution of a larger amount, and if said bond were offered to me, it would be accepted and approved.

_____, Sheriff, _____ County

By: _____, Deputy

THIS BOND TAKEN AND APPROVED on _____ 20____.

SALLY HERNANDEZ, Travis County Sheriff

By: _____, Deputy

APPENDIX F

Declaration:

My name is _____.

My date of birth is: _____.

My address is: _____.
(Street) (City) (State) (Zip code) (Country)

I declare under penalty of perjury that the foregoing is true and correct.

Signature: _____

Executed in _____ County, State of _____, on

(Date)

Please return to:

Email: TravisCountyBBB@traviscountytx.gov

Mail: Travis County Bail Bond Board

Attn: Angelica McDowell at Pretrial Services

P.O. Box 1748

Austin, Texas 78767