

NOTICE OF PROPOSED RULE

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agents and Agency Services

RULE NO.:

RULE TITLE:

69B-221.155

Forms for Limited Surety (Bail Bond) Agents

PURPOSE AND EFFECT: The purpose of the proposed rule is to adopt four forms to be used by the bail bond industry to: (i) provide the sworn statements required by Section 648.34(2)(d), F.S.; (ii) provide the information required by Section 648.355(1), F.S., to qualify for a temporary bail bond license; (iii) permit an appointing entity to appoint a licensee to act for the appointing entity by providing the information required by Section 648.382, F.S.; and (iv) permit the appointing entity to terminate the appointment of a licensee as provided in Sections 648.383(1) and 648.384(1), F.S.

SUMMARY: The rule adopts four forms to be used by the bail bond industry.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE

RATIFICATION: The agency has determined that this rule will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the agency.

The agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein:

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory

alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 624.308(1), 648.26(1)(a) FS

LAW IMPLEMENTED: 648.26(1)(a), 648.34, 648.355, 648.382, 648.383, 648.384, 648.39, 648.442(8) FS

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: October 12, 2011 @ 10:00 A.M.

PLACE: Room 142, Larson Building, 200 E. Gaines Street, Tallahassee, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Ray Wenger at (850) 413-5605 or Ray.Wenger@MyFloridaCFO.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ray Wenger, Financial Administrator, Bureau of Investigations, 200 E. Gaines Street, Tallahassee, FL 32399-0320 (850) 413-5605 or Ray.Wenger@MyFloridaCFO.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

69B-221.155 Forms for Limited Surety (Bail Bond) Agents.

The following forms for the bail bond industry are hereby incorporated by reference and available from the Division's website at

<http://www.MyFloridaCFO.com/agents/Licensure/Forms/index.htm>:

(1) Form DFS-H2-1500, Limited Surety Agent, Professional Bail Bond Agent,

Sworn Statement, (Eff. 6/11), which is used to comply with Section 648.34(2)(d), F.S., to provide the sworn statements attesting to the character of an applicant for a limited surety (bail bond) agent license.

(2) Form DFS-H2-1509, Temporary Bail Bond Agent, Mandatory Employment Verification, (Eff. 6/11), which is used by an applicant to qualify for a temporary bail bond license as required by Section 648.355(1)(e), F.S.

(3) Form DFS-H2-1544, Appointing Form, (Eff. 6/11), which permits an appointing entity of a limited surety (bail bond) agent to authorize a licensee to act for the appointing entity as provided in Section 648.382, F.S.

(4) Form DFS-H2-1544Term, Appointment Termination Form, (Eff. 4/11), which permits the appointing entity of a limited surety (bail bond) agent to terminate the appointment of a licensee and cancel that licensee's authority to act for the appointing entity as provided in Sections 648.383(1) and 648.384(1), F.S. Rulemaking Authority 624.308(1), 648.26(1)(a) FS. Law Implemented 648.26(1)(a), 648.34, 648.355, 648.382, 648.383, 648.384, 648.39, 648.442(8) FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ray Wenger, Financial Administrator, Bureau of Investigations, Department of Financial Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jeff Atwater, Chief Financial Officer, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 31, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 22, 2011