

MIKE CHANEY
Commissioner of Insurance



501 N. West St.
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Jackson, MS 39201
P.O. Box 79
Jackson, MS 39205

PROFESSIONAL BAIL AGENT: LIMITED AND PERSONAL SURETY LICENSING INSTRUCTIONS

Limited Surety: Defined as any individual who is appointed by an insurer by power of attorney to execute or countersign bail bonds in connection with judicial proceedings, and who is duly licensed by the commissioner to represent such insurer for the restricted lines of bail, fidelity and surety after successfully completing a limited examination by the department for the restricted lines of business.

Personal Surety: Defined as any individual who, having posted the necessary qualification bond and been duly licensed by the commissioner as required by Section 83-39-7, may execute and sign bail bonds in connection with judicial proceedings.

- (1) The licensing application requirements for a professional bail agent are as follows:
 - a. Application (must be notarized) and privilege tax of \$100
 - b. Successful completion of the professional bail agent examination
 - c. Complete set of fingerprints (taken by the MID, \$50.00, see Fingerprinting Instructions)
 - d. Recent full face color photograph
 - e. The 40-hour pre-licensing course is required unless item No. 7 below is applicable.
(Course completion info is sent electronically to the MS Insurance Dept. by the instructor.)
- (2) No license shall be issued to a professional bail agent unless the applicant has been duly licensed by the Mississippi Insurance Department as a soliciting bail agent for a period of three (3) consecutive years immediately preceding the submission of the application, unless the applicant was previously licensed as a professional bail agent before July 1, 2011.
- (3) In addition, the **Limited Surety agent** must include a "Professional Bail Agent: Limited Surety Appointment Form" from the sponsoring company and a \$25.00 Certificate of Authority fee with the application.
- (4) In addition, the **Personal Surety agent** must post a \$30,000.00 security deposit with the Mississippi Insurance Department at the time the original application is filed. This security may be in the form of a Certificate of Deposit, Treasury Bond or Note and **made payable in the name of both the bail agent and the Mississippi Insurance Department** as set forth in Miss. Code Ann. § 83-39-7. No security will be accepted with another person's name or "Joint Right to Survivorship." An **Irrevocable Security Power** form must be completed by officers at the lending institution, signed by the bail agent and the original attached to the security.
- (5) Also for the **Personal Surety agent**: The lending institution may issue a Safekeeping Receipt instead of the actual security to the Insurance Department. The Safekeeping Receipt must be an original and the following language must be typed on the Receipt: "Pledged to the Mississippi Insurance Department as required by law." This Receipt must be attached to the copy of the security.

- (6) The Professional Bail Agent must file an annual report for the previous calendar year, before June 1 of each year as required by law. This form is available at: <http://www.doi.state.ms.us/licensing/pbaannrpt.pdf> . If the Professional Bail Agent was not licensed during the previous calendar year, they may submit a statement stating the license was not held during the previous year in lieu of submitting an annual report.
- (7) Prelicensing education is not required for a professional bail agent (currently licensed) who applies for a different category of license if the prior license has remained in effect without any action taken against it and the applicant has successfully completed the continuing education requirements under this section for all periods between the completion of prelicensing education and the submission of the application for a license in a different category.
- (8) As of July 1, 2011, continuing education shall not be required for renewal of a professional bail agent license for any applicant who is sixty-five (65) years of age and who has been licensed as a professional bail agent for a continuous period of twenty (20) years immediately preceding the submission of the application as evidenced by submission of an affidavit, under oath, on a form prescribed by the department, signed by the licensee attesting to satisfaction of the age, licensing, and experience requirements.
- (9) A **Personal Surety agent's** qualification bond may be released by the department to the agent upon an order to release the qualification bond issued by a court of competent jurisdiction, or upon written request to the department by the professional bail personal surety agent no earlier than five (5) years after the expiration date of his last license.
- (10) Non-Resident applicants must comply with all licensing requirements listed in paragraph (1).
- (11) **The license period for professional bail agents expires Sept. 30th of each odd numbered year.** Follow-up renewals will consist of 24-month license terms.
- (12) For additional information, contact the Licensing Division at (601) 359-3582.

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