

COMAL COUNTY BAIL BOND BOARD
NEW BRAUNFELS, TEXAS
RULES AND REGULATIONS

PURSUANT to the **Texas Occupations Code, Chapter 1704** as amended by the 2001 Session of the Texas Legislature, the following rules and regulations are established to assist in governing the setting and taking of bail bonds in Comal County, Texas.

ARTICLE A

SECTION 1:

MEETINGS shall be held as posted in accordance with the **Texas Occupations Code, Chapter 1704**. Meetings shall begin at 8:30 A.M. and be held the 2nd Friday of each month, unless otherwise specified by the Presiding Officer.

SECTION 2:

ALL notices shall be posted on the bulletin board at the Comal County Courthouse, New Braunfels, Texas. All items to be placed on the upcoming Agenda shall be submitted to the Secretary of the Bail Bond Board seven (7) days prior to the monthly meeting.

THE office of the Board shall be the regular office of the individual serving as Secretary of the Board unless notice be posted to the contrary pursuant to resolution of the Board.

SECTION 3:

- A. AT** the organizational meeting and annually thereafter at the regular January meeting, the Board shall choose one of its members to serve as Presiding Officer until the next such annual election, unless he be sooner disqualified.
- B. IN** like manner, the Board shall choose an Assistant Presiding Officer who shall act in the temporary absence of the Presiding Officer. In the event the Presiding Officer be disqualified for any reason before the end of his term, the Assistant Presiding Officer shall automatically become the Presiding Officer. In such event, or if the Assistant Presiding Officer becomes disqualified, at the next regular meeting a new Assistant Presiding Officer shall be chosen.
- C. IN** like manner the Presiding Officer shall choose a secretary. 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 the general office affairs not otherwise specifically assigned by these rules and regulations. The Secretary shall have no authority to bind the Board.

D. THE four Justices of the Peace of Comal County are authorized to designate the Justice of the Peace who shall serve on the Bail Bond Board.

E. IN accordance the Texas Occupations Code, Chapter 1704.053 (13) as amended by the 2003 Texas State Legislature, a criminal defense attorney practicing in Comal County along with their designee is to be elected to serve on the Comal County Bail Bond Board. The means of election is to be carried out by the Comal County Bar Association. **** (Revised 9-01-03)**

ALL proceedings not governed by specific statutory provision or by rule of this Board shall be conducted in accordance with Roberts Rules of Order and the presiding officer shall be ex-officio Parliamentarian.

ARTICLE B

LICENSING REGULATIONS

SECTION 1:

APPLICATIONS for a “Bondsman’s License” shall be on the form adopted by this Board and set forth as “Appendix A” and “Appendix B” to those rules and regulations.

SECTION 2:

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

SECTION 3:

WHERE an applicant proposes to do business under an assumed name, proof shall be submitted showing registration of said assumed name with County Clerk of Comal County.

SECTION 4:

APPLICATIONS shall be submitted to the Secretary of the Bail Bond Board with an original and 12*** copies, no later than 21 business days prior to the scheduled meeting and such applications shall remain confidential until considered at an open meeting of the Board. The application shall be accompanied by a fee of \$500.00 for the filing of any original application, and a set of fingerprints of the applicant taken by a law enforcement officer designated by the Board.

**** Revised (02/09/2010)**

SECTION 5:

- A. THE** Secretary shall cause such investigation to be made as has been established by resolution of the Board or as is required by law.
- B. UPON** completion of such investigation, the Secretary shall furnish a complete copy of all reports together with a copy of the application to each member of the Board not less than 14 days prior to the meeting at which the application is to be considered.
- C. APPLICATIONS** shall be considered at each regular meeting of the Board.

**Revised (12/12/2008)

SECTION 6:

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

SECTION 7:

DISCUSSION of applicants and applications shall be in open session.

SECTION 8:

THE Board shall not grant more than one bail bond license to any person or corporation.

SECTION 9:

UPON approval each licensee shall be assigned a license number. All licenses and official identification cards shall be obtained from the Comal County Sheriff's Office. The licensee must contact the Sheriff's Office for an available time @830-620-3400.

**revised 02/13/09

SECTION 10:

(1) *If real property is provided as security when property is first pledged* (** Revised 08/13/2010 **) (**Revised 07/14/2009**), the applicant, at his own expense, shall provide a Deed of Trust in form acceptable to the Comal County Bail Bond Board and shall file such deed of trust in the County in which the property is located. The applicant shall also provide, at his own expense, documentation of a title search on the property specifying that the property is not encumbered by any other liens and there is no cloud on the title.

At the time of licensure or renewal each applicant or licensee pledging real property shall provide at his own expense and in a form acceptable to the bail bond board, a notarized designation of homestead or a notarized affidavit of non-homestead and proof of the existence of a homestead other than the property pledged to the bail bond board.

Failure to provide such evidence that the pledged property is not claimed as homestead, shall cause the applicant or licensee's pledged security to be reduced by the value of the property.

(2) *If other security is offered as collateral, the applicant shall deposit with the Comal County Treasurer a cashier's check of unlimited time duration, an automatically renewable non-negotiable certificate of deposit (Which shall include an assignment on a form approved by the Board), or cash, in the amount indicated in the applicant's application, but in no event less than \$50,000.00.*

Cashier's checks and certificates of deposit intended for use as security for a bail bond license must meet the following requirements:

(a) *Must be styled, "(surety's name) for the benefit of the Comal County Treasurer";
Change approved by the Board (** 09/09/2011**)*

(b) *If the applicant is an individual, a certificate of deposit must be endorsed by the individual applicant. If the applicant is a corporation, a certificate of deposit must be endorsed by a corporate officer listed in the most recent annual company statement filed with the Texas Department of Insurance and who is authorized to endorse the certificate of deposit; and*

(c) *Must include a security assignment agreement executed by the applicant and the issuing bank. The applicant shall deliver the original to the Board and the applicant shall provide the bank a copy. The Board will not accept cashier's checks or certificates of deposit containing, or subject to, set-off provisions.*

Addition approved by the Board and (Revised 07/14/2009**)**

SECTION 11:

AMENDMENT OF LICENSE APPLICATION

A. IF any of the information required by the original license application changes, the licensee shall file an application to amend its license within 10 days of the change to correct the license application to reflect the change. The application to amend the original license application accompanied by a fee of \$50.00, will be submitted to the office of the Secretary of the Board. The fee will be turned over to the Comal County Auditor for depositing into the General Fund and the changes noted.**

** Revised 4-2005

ARTICLE C

TAKING OF BAIL

SECTION 1:

- A. **REQUIREMENT** as to out-of-county bonds. Each licensee shall file with the Sheriff of Comal County, Texas, the Chairman of the Comal County Bail Bond Board, and the County employee designated by the board under the Texas Occupations Code, Chapter 1704 on the tenth (10th) day of each month, a statement of Judgment Nisi and Final Judgments taken against him on out-of-county bonds. Such report shall contain the number of the case, the name of the principal, the date of the execution and approval of the bond, and the total aggregate sum of Final Judgments not paid, under oath and signed by the licensee. Such statement must be made on the form (attached hereto as Appendix E) prescribed by the Board.
- B. **IDENTIFICATION** card. An identification card or copy of license certification issued to the licensee, agent, or employee must be presented to the bonding desk at the time the bail bonds are presented.
- C. **OFF** Bond Application or Affidavit. Affidavits for Surety to Surrender shall be processed with the court having jurisdiction as follows:
 - a. Before the Court or Magistrate in which the prosecution is pending (prior to formal charges being filed)
 - b. With the Court in which the formal charging instrument has been filed. **

**Revised 10-2002

ARTICLE D

RECORDS REQUIRED OF LICENSEES

SECTION 1:

NOT later than the 10th day of each month, each licensee shall furnish to the Board Secretary the information requested on the form entitled “Monthly Report”, attached hereto as “Appendix D”, along with the required Monthly Bail Bond Fees, per the Texas Government Code.

*Revised 10/09/09

A. Effective 09/09/2011 all Bonding companies must submit an annual financial statement to the Bail Bond Board secretary not later than the 1st day of March of each year.

B. Companies that have property up with the County must also provide a copy of their current tax receipt showing that the property taxes have been paid in full, not later than the 1st day of March of each year.

****approved to add A & B in this section of local rules 10/14/2011****

ARTICLE E

COMPLAINTS

SECTION 1:

ALL complaints, other than those considered by the Board on its own motion or at the request of a Court, shall be specific as to date, party, and conduct complained of and shall be in writing and sworn to.

SECTION 2:

THE Secretary of the Board is designated as the agent of the Board for the receipt of complaints.

SECTION 3:

UPON receipt of a complaint, the Secretary shall cause to be transmitted to each member of the Board a copy thereof.

SECTION 4:

THE Board shall consider said complaint at the next regularly scheduled meeting of the Board, unless considered earlier at a special or emergency session called by the Presiding Officer of the Board.

SECTION 5:

THE Secretary shall give such notice as the circumstances permit to the complainant and licensee complained of, advising them of the time and place when the Board shall consider such complaint.

SECTION 6:

UPON presentation of a complaint to the Board, the Board shall make such orders as it deems appropriate respecting the investigation and prosecution of said complaint.

SECTION 7:

IF the complaint related to a licensee who is also a member of the Board, said licensee shall be temporarily disqualified as a member of the Board to consider said complaint pending final disposition of the complaint.

ARTICLE F

PROVISION FOR AUTOMATIC SUSPENSION OF LICENSE IN VIOLATION OF SECURITY REQUIREMENTS

SECTION 1:

THE Secretary of the Bail Bond Board is designated as the person to maintain a current total of bondsman's potential liability on bonds in force as required by the Texas Occupations Code, Chapter 1704.

SECTION 2:

- A. VIOLATION** of rule or regulation. A violation of any of the rules or regulations of the Comal County Bail Bond Board or the laws of the State of Texas or the United States shall be considered as ground for suspension and/or revocation of any license of a bail bondsman.
- B. FAILURE** to meet reporting requirements. If any licensee fails to comply with the reporting requirements he/she shall be immediately denied the privilege of making bail bonds.
- C. DEFAULT** on final bond forfeiture. Where an individual or corporate licensee holds more than one license and is in default on any final bond forfeiture judgment on any of the licenses, all licenses will be immediately suspended until satisfaction of the default is made.

ARTICLE G

AGENT IDENTIFICATION CARD

SECTION 1:

AN identification card issued to the licensee or his agent by the Comal County Bail Bond Board must be presented each time a licensee or his agent presents a bail bond for the release of a

prisoner. Such identification card shall be issued to the licensee or for his agent in accordance with the provisions of these Regulations.

A. THE application for an agent identification card shall be in the form adopted by the Board and set forth as “Appendix C” to these rules and regulations.

B. NO person may simultaneously be the designated agent of more than one licensee. No person duly licensed by this Board may also be the designated agent of another licensee except as the agent of an insurance company licensed by this Board.

SECTION 2:

IF a licensee revokes the authority of any of its agents to make bail bonds on its behalf, or if any agent terminates his employment with the licensee, the licensee shall give written notice of such action to the Secretary of the Board and shall surrender to the Secretary of the Board the identification card previously issued for such agent, unless good cause be shown why the identification card cannot be returned.

The above notice and surrender of identification card shall be given within 10 days of the date of the agent’s authority is revoked or his employment with the licensee is terminated.

SECTION 3:

A request for an identification card for persons to be designated as agents shall be accompanied by a check payable to the County Auditor of Comal County in the amount of **\$15.00** to cover the costs relating to the issuance of such identification card. This fee shall be dealt with in the same manner and for the same purposes as original license fee under the Bail Bond Act.

AN original and twelve **(12)** ****** copies of the application shall be filed with the Secretary of the Board, accompanied by copy of the drivers license and social security card.

UPON receipt of an application for an agent identification card, the Secretary shall conduct a background check and verify that the applicant has a valid driver’s license.

Transmit a copy of the same to other Board members, and will be placed on the following Agenda, if it is received by the deadline, Friday, 5pm 1 week prior to the meeting.

Approval of agent will be determined by the Bail Bond Board at the next scheduled meeting. If no objection is made by any Board member or other interested person, it shall be deemed approved.

IF for any reason a question is raised as to whether the identification card should be issued, the Secretary shall notify the licensee and his agent of the meeting and of the grounds for objection to the approval of the application, if they are not present at the meeting.

**** Revised 10/08/10 **** *If an agent application is denied for any reason the applicant cannot reapply for a minimum of 3 month from date of denial.*

SECTION 4:

A. IF an agent knowingly gives any law enforcement officer or official false information regarding his knowledge of the whereabouts of any person for whom a warrant of arrest or capias is outstanding, the agent’s identification card may be suspended or revoked.

ARTICLE H

MISCELLANEOUS PROVISIONS

SECTION 1:

- A. THE** Secretary of the Board, under the direction of the Board, shall publish a list of licensees by proper name and showing the business address and telephone number of each licensee. The List shall include a listing of the Bonding Agents of each Licensed Bondsman. This list showing the active Bonding Companies will be rotated on a bi-weekly basis.
- B. 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.
- C. IF**, as, and when a new license is issued, the new licensee may be added to the published list in an inconspicuous manner.
- D. NO** unlicensed person (even those exempt from licensing) may be placed on the list.

SECTION 2:

NO bondsman (licensed or exempt) shall place or permit to be placed, any advertising at any place where prisoners are examined, processed or confined. The dissemination of personal or professional cards shall be deemed advertising.

SECTION 3:

TELEPHONE directory advertising for licensee shall be listed in the proper name of the licensee and may contain assumed or corporate names.

SECTION 4:

ADVERTISING for a licensee shall not contain any representation that he is associated with any attorney or any firm that engages in investigative services.

SECTION 5:

IF any provision of these Rules and Regulations or the application hereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of

these Rules and Regulations which can be given effect without the invalid provision or application, and to this end, the provisions of these Rules and Regulations are declared to be severable.

SECTION 6:

THE licensee shall immediately notify the Secretary of the Comal County Bail Bond Board in writing if it ceases to be actively engaged in the bail bond business at its designated location and shall within three days of the event notify the Secretary of the Comal County Bail Bond Board of any change in the information provided in the licensee license application for which an amendment of the license application as is required by Article B, Subsection 11(d) of the Comal County Bail Bond Regulations.

ARTICLE I

OFFICE LOCATION/DESCRIPTION

IN accordance with the Texas Occupations Code Chapter 1704 the following is a description of the office to be maintained within Comal County:

- A. Office location means a permanent physical address.
- B. The designated building is to be used for commercial purposes, or it is in an area exclusively dedicated to the bonding business within a building used for non-commercial purposes.
- C. The files relating to the bail bond surety's business for Comal County are maintained at that location.
- D. The majority of the bail bond surety's business relating to Comal County is conducted at that location.
- E. The bail bond surety or an employee of the bail bond surety will be physically available at the business location within a 2 hour notice. Posted at the office location must be a sign stating the time of return.
- F. The local phone line advertised by the bail bond surety must be physically installed at the business location.

ARTICLE J

PROCEDURES FOR A LICENSEE TO CEASE OPERATIONS**

SECTION 1:

Definitions

As used in this Article the terms:

- A. "Ceasing Operations" means to stop performing or accepting any new business as a licensee such as:
 - 1. The writing of any bond or obligation
 - 2. The accepting of any new work for either new or existing clients
 - 3. Pledging any new security or surety in any amount to cover a bond increase for a presently outstanding bond;
 - 4. The solicitation or advertisement of new business, or
 - 5. Any other action reasonably calculated to cause any ordinary person to believe that the licensee is still licensed to do business as a licensee

- B. "Client" means the defendant in a criminal case for whom licensee has pledged surety to ensure the defendant's appearance in court.

SECTION 2

Applicability

This Article shall apply to any licensees who desire to terminate his or her status as a licensee in good standing with the Board. To the extent that any provision of this Article is later deemed to be unenforceable by the Board or determined by a Court of competent jurisdiction to be invalid, void or against public policy, all other provisions of this Article shall continue.

SECTION 3

General Provisions

A Licensee may at any time and for any reason cease doing business as a licensed bondsman in this county provided that before ceasing operations the licensee is in full compliance with **Section 4** of this Article.

****Added 9/05**

SECTION 4

Actions Required to Cease Operations

Prior to ceasing operations the licensee shall:

- A. Give written notice to the Sheriff's Office indicating the licensee's intent to cease operations.
 - 1. Notice is effective immediately upon receipt by the Sheriff's Office unless the notice contains a specified effective date
 - 2. Notice may be in any written form so long as it is signed by the licensee
 - 3. The Sheriff's Office shall confirm in writing by certified mail, return receipt requested, to the licensee's listed place of business the receipt of any notice to cease operations and the effective date of such notice.

- B. Pay in full any and all outstanding judgments or obligations owed to the County.

- C. Make a written request of both the County Clerk and the District Clerk to certify that all outstanding judgments or obligations owed to the Board have been paid in full. The clerk shall timely provide a certified statement of account to the Sheriff's Office.

SECTION 5

Duties Upon Ceasing Operations

Upon ceasing operations the licensee shall:

- A. Continue to maintain all records as required of a licensee
- B. Continue to maintain adequate security with the Board to cover all outstanding bail bonds
- C. Continue to maintain a local principal place of business in the county with at least one listed local telephone number to receive telephone calls from clients
- D. As soon as reasonably possible remove all external business signage and advertising

with the exception of reasonable signage at the principal place of business consistent with a business that is in the process of ceasing operations as a going concern.

SECTION 6

Prohibited Actions Upon Ceasing Operations

Upon ceasing operations a licensee is prohibited from:

- A. Soliciting or accepting any new business from either a new or an existing client.
- B. Pledging any new security or surety in any amount to cover a bond increase
- C. Causing any new external business signage or advertising to be created with the exception of replacement signage at the principal place of business if the previous signage was damaged, destroyed, worn or changed due to weather, natural circumstances, building modifications or other acts outside the control of the licensee.
- D. Rescinding the written notice to the Sheriff's Office indicating intent to cease operations without re-applying for a license from the Board as new licensee.
- E. Serving on the Board as either the bondsman's representative or designated alternative.

SECTION 7

Permitted Acts of a Licensee Ceasing Operations

Unless otherwise prohibited, a licensee who is ceasing operations may at any time:

- A. Change or Move the telephone number or principal place of business with reasonable written notice to both the Board and all clients.
- B. Employ up to the number of licensed agents to run the operations of licensee's business as were in the employ of licensee at the effective date of the written notice as required by Section 4A.
- C. Petition the Board to release any excess security held by the Board thirty (30) days after final disposition of all appeals for which security is pledged.
- D. Petition the Board to accept substitute securities provided the total amount of securities pledged is sufficient to cover all of licensee's outstanding obligations.
- E. Petition or appear before the Board for any other lawful purpose.
- F. Refer any new business inquiries to any other current licensee of this county. Nothing in this section shall prohibit an exclusive referral agreement between a current licensee and a licensee ceasing operations.
- G. Sell, assign, donate or otherwise dispose of any business asset or liability that is not pledged to the Board as security or protected by any applicable privacy law to any bona fide good faith purchaser.

SECTION 8

Transfer of Obligation to Another Licensee

Nothing in this Article shall prohibit a licensee who is ceasing operations from transferring or assigning the ownership and duties of bond obligation for any bail bond written by a licensee prior to ceasing operations to another current licensee of this county provided:

- A. The licensee ceasing operations files a petition with the Court, in which a bail bond has been made, to accept the transfer of bond obligation. The petition for transfer of bond obligation shall:
 - 1. Be signed by all parties to the bail bonds, including the intended recipient of the transfer of bond obligation;
 - 2. Include a sworn affidavit by the intended recipient of the transfer of bond obligation that the intended recipient is a current licensee of this county and has sufficient security pledged with the Board to cover the proposed transfer of bond obligation, and;

3. The client is not charged any fee for the transfer of bond obligation.
- B. In order to effect the smooth and orderly transfer of bond obligation as provided for this Section, the Board shall work with the Courts of this county to develop and publish written procedures and forms for the transfer of bond obligation so that the client does not need to make an appearance in court other than regularly scheduled court appearances.

SECTION 9

Exemption from License Requirements

Upon the effective date of the written notice as required by Section 4 A, a licensee shall be exempt from:

- A. Applying for a license renewal with the Board, pursuant to Chapter 1704.162 of the Texas Occupations Code
- B. The payment of any fee associated with license renewal pursuant to Chapter 1704.162 of the Texas Occupations Code.

CONFORMITY CLAUSE

IT is the purpose of these Rules and Regulations to conform in the entirety with the Texas Occupations Code, Chapter 1704 as amended by the 2001 Session of the Texas State Legislature. If there be any conflict between these Rules and Regulations and the above referenced statute, the statute shall control.

INDIVIDUAL SURETY LICENSE APPLICATION

COMAL COUNTY BAIL BOND BOARD
COMAL COUNTY SHERIFF'S OFFICE
NEW BRAUNFELS, TEXAS

NO APPLICATION SHALL BE DEEMED COMPLETE NOR SHALL ANY LICENSE ISSUED BE EFFECTIVE UNTIL ALL APPLICABLE PROVISIONS OF THE TEXAS OCCUPATIONS CODE, CHAPTER 1704, AND THE CURRENT RULES AND REGULATIONS OF THIS BOARD HAVE BEEN FULLY COMPLIED WITH.

Applicant Name _____

FOR BOARD USE ONLY. DO NOT WRITE BELOW THIS LINE.

Application Received by: _____ Date: _____

\$500.00 Fee Paid? (Circle One) Yes / No

Assumed Name (D.B.A.) filed of record with Comal County Clerk: _____

Outstanding un-satisfied forfeitures of judgments: _____

Security properly filed and in proper form on: _____ Received by: _____

Application approval granted by board and license issued on: _____

License Number: _____ **Issued by:** _____ **Date Expires:** _____

DO NOT WRITE ABOVE THIS LINE

CHECKLIST OF DOCUMENTS REQUIRED AT TIME OF SUBMISSION FOR APPLICATION TO BE CONSIDERED BY THE BOARD

INCOMPLETE APPLICATIONS WILL BE DENIED LICENSURE

- _____ A. Original application, with twelve (12) copies and one (1) original, fully and properly completed.
- _____ B. The five hundred dollar (\$500.00) application fee made payable to “Comal County Bail Bond Board”.
- _____ C. A complete and **sworn** financial statement within 90 days prior to application. Exhibit “K”
- _____ D. A copy of the properly filed and currently valid Assumed Name Certificate (D.B.A.) made out in applicant’s name.
- _____ E. Three (3) **signed original** letters of recommendation for the applicant, dated within 90 days prior to the date of application, which meet the statutory requirements of the Texas Occupations Code, Chapter 1704. Exhibit “L”
- _____ F. Signed original letter of good standing, dated within 90 days prior to the filing of this application, from the bail bond board or bonding authority of each Texas county in which the applicant has ever been licensed.
- _____ G. One full set of applicant’s fingerprints taken by a qualified member of the Comal County Sheriff’s Office, and on forms obtained from that office. (Contact the Comal County Sheriff’s Office for time and date, 830-620-3400.)
- _____ H. Designate form of \$50,000.00 security to be deposited if application is approved. (Circle One) Cash / Cashier’s Check / Certificate of Deposit / Real Property / Cash Equivalent
- _____ I. Proof of completion of at least eight hours of continuing legal education in criminal law courses or bail bond courses approved by the State Bar of Texas and offered by an accredited institution of higher education in the state.
- _____ J. Submit documentary evidence that in the two years preceding the filing of this application the applicant has been continuously employed for one (1) year by a person licensed under chapter 1704 of the Texas Occupations Code (example: W-2 forms or check stubs), and that the applicant was required to work not less than thirty (30) hours per week (example: time sheets), excluding annual leave, and perform duties in all phases of the bonding business (example: job description).(New Applicants Only)
- _____ K. If applicant intends to use real estate as security, the application **MUST** include a statement listing all **NONEXEMPT REAL ESTATE** owned by the applicant which is intended to be conveyed in trust to the Comal County Bail Bond board as security upon tentative approval of the application. The following shall be included for **EACH** parcel:
- (1) A legal description equivalent to the description required to convey the property by general warranty deed. Exhibits “A”, “B” & “C” **Revised 02/09/2010
 - (2) Current (within 90 days prior to application) statements from every taxing unit with power to assess or collect taxes against the property indicating that there are no un-paid taxes or outstanding tax liens on the property. Exhibits “D”, “E” & “F”

- (3) A sworn statement from the applicant agreeing to keep all taxes paid on the property while it remains in trust. Exhibit "N"
- (4) A sworn statement from the applicant agreeing not to further encumber the property after conveying it in trust to the Comal County Bail Bond Board without first notifying and obtaining the written permission of the board. Exhibit "P"
- (5) A sworn agreement from the applicant that the applicant will fully insure and keep current the insurance on all improvements on the property against any damage or destruction while the property remains in trust, for the full amount of the value claimed for the improvements. Exhibit "O"
- (6) A current (within 90 days prior to application) appraisal made in accordance with Texas Occupations Code, Chapter 1704.155(3). Exhibits "G", "H" & "I"
- (7) A sworn statement from applicants spouse, if any, agreeing to transfer to the Comal County Bail Bond Board, as part of the trust, any right, title, or interest that the applicant's spouse may have in the property, and that the applicant's spouse will execute deeds of trust to any community property placed in the security deposit. Exhibit "J"
- (8) Documentation of insurance on the property listing the name of the insurance company to confirm that the property is properly insured. Exhibit "M"

_____ L. Notarized designation of homestead and non- homestead affidavit and proof of the existence of a homestead other than the property pledged to the bail bond board. Exhibit "Q"

_____ M. Individual surety's agents application. Appendix "C" (If applicable)

_____ N. Upon approval, each licensee shall be assigned a license number. All licenses and official identification cards shall be obtained from the Comal County Sheriffs Office. The licensee must contact the Comal County Sheriffs Office for an available time at 830-620-3400.

Date Application Prepared: _____ (Circle One) ORIGINAL or RENEWAL

Current License Number: _____ Expiration Date: _____

APPENDIX "A"

ORIGINAL APPLICATION FOR ISSUANCE OF BONDSMAN LICENSE

ATTACH PAGES AS NEEDED TO FULLY ANSWER EACH QUESTION

1. Individual Applicant Name: _____ Age: _____
Social Security Number (optional): _____ Drivers License State: _____
Driver's License Number: _____ Date of Birth: _____
Home Address: _____
City, State, Zip Code: _____
Home Telephone: _____ Fax: _____
Length of Residence in Texas: _____
Citizen of the United States: Yes _____ No _____

2. Have you or any business of yours ever filed or been involved in any voluntary or involuntary bankruptcy, been placed in receivership, been adjudged bankrupt, or been involved in any insolvency proceedings? Yes _____ No _____ If yes, give full details including date of filing, location, Court, cause number, and date of final judgment:

3. Assumed Name under which this bonding company business shall be conducted.

(D.B.A.): _____
Date D.B.A. was filed with Comal County Clerk: _____
Business Address: _____
City, State, Zip: _____
Business Telephone: _____ Fax: _____

4. Will this applicant conduct bail- bonding business at any other locations?

Yes _____ No _____ If Yes, explain fully giving all addresses and reasons: _____

5. Will any business other than bail bonding be conducted at the addresses listed in Questions 3 and 4? Yes _____ No _____ If "Yes", give full details as to other business which will be conducted: _____

6. Is this business owned, in whole or in part, by any person or persons (including Corporations) other than the Applicant? Yes _____ No _____ If "Yes", give full details for each co- owner or partial ownership interest as for Applicant in question numbers 1 and 2, and attach a copy of all documents creating such ownership interests: _____

7. Are you married under the laws of Texas or any other jurisdiction? Yes ____ No ____
Applicant Spouse's Name: _____
Date of Birth: _____ Texas Identification Card Number: _____
Driver's License Number: _____ Driver's license State: _____
Social Security Number: (OPTIONAL) _____ Age: _____
Home Address: _____
City, State, Zip code: _____
Home Telephone: _____ Fax: _____

8. Have you ever been connected in any way with any bail bond company other than the One for which you are now applying? (Including owning, partial interest in, worked for, etc.) ?
Yes _____ No _____ If "Yes", Explain, giving full details including names, nature of connection and dates: _____

9. Have you, or any business owned in whole or in part by you, ever been denied or refused a bail bond license in any state or withdrawn an application to avoid such action? Yes _____ No _____ If "Yes", explain giving full details including State & County.

Date and Reason: _____

10. Have you, or any business owned in whole or in part by you, ever had a bail bond license suspended, canceled, or revoked by any bail bond board? Yes _____ No _____ If "Yes", explain giving full detail including County, Dates, Reasons, etc.: _____

11. List all employees and/or agents that are going to work for or that are now working for this bail bonding company and give their name, date of birth, social security number (optional), driver's license number and state and their Texas identification card number if any.

12. Are you, or any business with which you are in any way connected, currently involved in any Civil litigation, suits, etc. (Excluding bond forfeitures) Yes ____ No ____

If "Yes", attach copy of suit and give full details including County, Court, Cause

Number, Date filed, and nature of litigation: _____

13. Have you ever been convicted of any felony or misdemeanor offense, in **ANY** jurisdiction since August 27, 1973? Yes _____ No _____

If "Yes", Explain, giving full details including jurisdiction, State, County, Case

Number, Court, Charge, Date of Offense, and Final Disposition: _____

14. List **ALL** Texas counties in which you or any business owned in whole or in part by you now or has ever had a bail bond license.

15. List **ALL** Texas counties in which you or any business owned in whole or in part by you has ever executed bail bonds without being licensed.

16. List in the Final Judgment Disclosure Form, all unpaid or partially paid final judgments relating to bail bond forfeitures and entered against you personally or against any bail bond business owned by you in whole or in part, and provide all the required information for each column in the Final Judgment Disclosure Form.

17. Have you been a party to any contract or any other agreements whereby you granted or agreed to grant an option to anyone to purchase any or all of your assets?

Yes _____ No _____ If "Yes", give full details and attach a copy of the contract or agreement: _____

18. If you are a practicing bondsman in any other County, attach to this application a copy of current collateral used for any existing bonds outstanding in any other county.

19. Attach all additional pages and required documents following this page and make a complete list below of each document attached and made a part of this application:

ATTACH ALL THREE PAGES OF APPLICANT OATH FOLLOWING ALL OTHER

ATTACHMENTS LISTED ABOVE

APPLICANT OATH

I, the undersigned Applicant, do hereby certify that I have personally read and reviewed this application, and I do hereby state and certify under oath that there are no misrepresentations, omissions, or falsifications in the foregoing statements and answers including all attachments, and that the entries made above and on all attachments are true, complete and correct to the best of my knowledge and belief and are made in good faith.

I do hereby request and authorize the Comal County Bail Bond Board of its designee to make a thorough and complete investigation of the facts and assertions within this application in order to confirm their truthfulness or falsity.

I do hereby request and authorize any person or persons, each former employee or employer, or any firm or corporation referred to in this application to give any information and answer all questions asked concerning this application as deemed needed by the Comal County Bail Bond Board or its designee in the investigation or re-investigation of this application and its contents.

I hereby agree and consent that in the event that his application is found to contain any false statement, omission of information or misrepresentation of any kind, this application will be denied.

In consideration of granting this bail bond license and in order to insure payment of any and all obligations incurred by my bail bonding business due to this license, I will deposit with the Comal County Treasurer, security in the form of one of the following or a combination of that constitutes at least a minimum of the security required under the Comal County Bail Bond Board Rules and Regulations:

_____ Cash in the amount of Fifty Thousand Dollars (\$50,000.00)

_____ A Cashiers Check drawn on an institution insured by the Federal Deposit Insurance Corporation, a branch of the United States Government, in the amount of Fifty Thousand Dollars (\$50,000.00) and made solely payable to the Comal County Treasurer, in form which is acceptable to the Comal County Treasurer and the Comal County bail Bond Board

_____ A Certificate of Deposit drawn on an institution insured by the Federal Deposit insurance Corporation, a branch of the united States Government, in the amount of Fifty Thousand Dollars (\$50,000.00) and made solely payable to the Comal County Treasurer, in the form of which is acceptable to the Comal County Treasurer and the Comal County Bail Bond Board.

_____ A Cash Equivalent, made out to the benefit of and solely payable to the County Treasurer of Comal County, Texas and created in a form which is acceptable to the Comal County Treasurer and the Comal County Bail Bond Board, in the amount of Fifty Thousand Dollars (\$50,000.00) as a cash equivalent to satisfy any final judgment of forfeiture that may be made on any bonds on which I am surety.

_____ A deed of trust to Non- exempt real estate of a recently appraised value of Fifty Thousand Dollars (\$50,000.00) or more, as prescribed in the Texas Occupations Code, Chapter 1704, and in a form which is acceptable to the Comal County Treasurer and the Comal County Bail Bond Board may direct and approve.

I further understand that any license issued by the Comal County Bail Bond Board shall be considered tentatively issued and immediately revocable until the form of security which I supply is properly filed and thereafter deemed to be in acceptable form by the Comal County Treasurer and the Comal County Bail Bond Board.

I, the undersigned Applicant, do certify that I have read and understand the Comal County Bail Bond Board rules and regulations and Chapter 1704 of the Texas occupations Code, and I agree that I and each of my employees will comply with and be bound to these laws and rules.

Date: _____

Signature of Applicant

Typed Name of Applicant

Assumed Name or D.B.A of Applicant's Business

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

Witness my hand and seal of office this the ____ day of _____, 20____.

Notary Public in and for the County of

_____ and State of _____

My Commission Expires: _____

State of _____

County of Comal _____

The person whose signature appears above personally before the undersigned, a Notary Public in an for the above names County and State, on the day and date above names, and acknowledged the execution of the foregoing instrument to the voluntary act and deed of the applicant therein named and for the purpose therein set forth, that they are duly authorized to execute the foregoing instrument, and that the statements and representations therein contained are true and correct to the best of their knowledge and belief.

Affix Notarial Seal

Notary Public in and for

The County of _____

The State of Texas _____

**APPENDIX B
SURETY CORPORATION APPLICATION
FOR BONDING LICENSE**

CORPORATION INFORMATION

1. Name of surety corporation: _____

2. Address of surety corporation:

Street City State Zip Code

3. Phone Number: (_____) _____ Fax No. _____

4. Corporation's registered agent for service in Texas:

Name: _____

Address: _____
Street City State Zip Code

Telephone: (_____) _____ Fax No. _____

If applicant is a corporation or limited liability company, attach a copy of **"Certificate of Good Standing"** from the Texas Secretary of State and a list of officers and directors.**

5. Name under which business will be conducted:

6. Address where business will be conducted:

Street City State Zip Code

7. Business Telephone: (_____) _____ Fax No. _____

8. The Corporation is presently involved in civil litigation. YES NO

9. If yes, following is a description of the nature of litigation. (attache a separate sheet if necessary.)

CAUSE NO.	STYLE	COUNTY	COURT
_____	_____	_____	_____
_____	_____	_____	_____

****(Revised 1-14-05)**

10. The Corporation has unsatisfied judgments pending against it. YES NO

If yes, following is a description of the judgment(s). (Attach separate sheet if necessary.)

CAUSE NO.	STYLE	COUNTY	AMOUNT
_____	_____	_____	_____
_____	_____	_____	_____

11. The Corporation will comply with the Bail Bond Board Act and the rules of the Comal County Bail Bond Board.

12. The Corporation has been licensed under the Bail Bond Board Act in another County.
YES NO

13. If answer to #12 was "YES", the Corporation shall submit as an exhibit to the application a statement that the Corporation is in good standing in each County where it is licensed.

14. The Corporation shall furnish to the Comal County Sheriff a cashier's check, certificate of deposit, or cash as required in Texas Occupations Code, Chapter 1704.160 (b) to satisfy any final judgment of forfeiture that may be made on any bonds on which the corporate licensee is surety.

15. The Corporation has filed with the office of the Comal County Clerk a power of attorney designating and authorizing the named agent of the Corporation to execute bail bonds.

16. This application is accompanied by a fee of \$500.00.

_____ OR _____
 Applicant Authorized Officer for Corporation
 (Agent of Corporation through
 Power of Attorney)

SUBSCRIBED AND SWORN TO before me, the undersigned authority, this _____
Day of _____, 20_____.

 Notary Public
 The State of _____
 My commission expires: _____

APPENDIX C
APPLICATION FOR AGENT IDENTIFICATION CARD

I, _____, am a licensee in good standing with the Comal County Bail Bond Board. I request that an identification card be issued for _____ to act as agent for _____.

By this application I agree that if the identification card is issued that the rights and privileges granted by the issuance of the identification card shall be immediately suspended and shall remain suspended as provided by the Rules and Regulations of the Board if after the issuance of the identification card an indictment is returned or an information and complaint are filed charging the agent with the commission of a felony offense or of an offense involving moral turpitude as provided in said Regulations. I further agree to surrender the said identification card to the Secretary of the Board upon notice of the institution of such charges.

(LICENSEE)

I, _____ do hereby swear upon oath that I have not been convicted of a felony offense or of a misdemeanor involving moral turpitude within the previous 10 years. ****Effective 11/12/10**** I agree that a criminal history check may be run, and I agree that the Board may consider same in the issuance or denial of a license, or in the revocation of a license. I agree to furnish the Sheriff any information necessary to conduct a criminal history of the Board for its consideration. I further swear that to my knowledge there are no such charges currently pending against me. I further acknowledge and agree to all the provisions of the Rules and Regulations of the Comal County Bail Bond Board respecting the issuance of this identification card including the provisions for the automatic suspension of such card and the surrender of the same as provided therein.

(SIGNATURE OF AGENT)

STATE OF TEXAS
COUNTY OF _____

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and who having been by me duly sworn, deposes and says that the statements made by him in the above application are true and correct.

GIVEN under my hand and seal of office this the _____ day of _____, _____.

Notary Seal

Notary Public In and For
State of Texas

NOTE: This application requires that a set of fingerprints (taken by an officer of the Comal County Sheriff's Office) be attached to this application. **Revised 02/13/09******
****Added 10/08/2010 ** If an agent application is denied for any reason the applicant cannot reapply for a minimum of 3 months from date of denial.**

**APPENDIX D
MONTHLY REPORT**

COMPANY NAME: _____

ADDRESS: _____ **CITY:** _____

_____, _____ **TO** _____, _____
Month Day Year Month Day Year

Please complete the following report and return to the Bail Bond Board Secretary by the 10th of each month. The report should include all bonds outstanding as of the last day of each month, from the 1st day of the month through the last day of the same month.

MONTHLY TOTALS	FELONY	MISDEMEANOR
1. Total number of Bonds in Comal County	_____	_____
2. Total amount of Bonds in Comal County	_____	_____
3. Number of Bonds Forfeited.	_____	_____
4. Number of Judgment NISI on Bonds Forfeited.	_____	_____
5. Number of Final Judgments entered On forfeited bonds.	_____	_____
6. Total amount collected by County upon Settlement or Final judgment.	_____	_____
7. Total amount remitted back to Bondsman upon Return of defendant to custody.	_____	_____
8. Total amount of Bonds outstanding in Comal County (Cities and J.P.).	_____	_____
9. Total amount of Bonds outstanding in Comal County (County Bonds)	_____	_____
10. Total amount of Bonds outstanding; out of Comal County.	_____	_____
11. Total amount of Judgment NISI, Comal County (Cities and J.P.).	_____	_____
12. Total amount of Judgment NISI, Comal Comal (County Bonds).	_____	_____
13. Total amount of Judgment NISI, outside of Comal County	_____	_____

EXHIBIT J

SPOUSE'S SWORN STATEMENT

This is to certify that my spouse, _____, is authorized as managing community property owner, to make all transfers of community property necessary to secure the business known as _____, specifically in regards to the following real property:

(Signature)

State of Texas
County of _____

This instrument was acknowledged before me this ____ day of _____, 20____,

By _____.

___ Personally known or Produced _____ as identification.

(Notary signature)

(Notary printed name)

Notary Public, State of Texas

EXHIBIT N

STATE OF TEXAS

COUNTY OF _____

I, _____, AGREE TO KEEP ALL TAXES PAID
ON THE FOLLOWING DESCRIBED PROPERTY WHILE IT REMAINS IN
TRUST:

(Signature)

State of Texas
County of _____

This instrument was acknowledged before me this _____ day of
_____, 20____, by _____.

____ Personally known

____ Produced _____ as identification.

(Notary Signature)

(Notary printed name)
Notary Public, State of Texas

EXHIBIT O

STATE OF TEXAS

COUNTY OF _____

I, _____, AGREE TO FULLY INSURE AND KEEP CURRENT THE INSURANCE ON ALL IMPROVEMENTS ON THE PROPERTY DESCRIBED AS FOLLOWS:

AGAINST ANY DAMAGE OR DESTRUCTION WHILE THE PROPERTIES REMAIN IN TRUST FOR THE FULL AMOUNT OF THE VALUE CLAIMED FOR THE IMPROVEMENTS.

(Signature)

State of Texas
County of _____

This instrument was acknowledged before me this _____ day of _____, 20_____, by _____.

____ Personally known

____ Produced _____ as identification.

(Notary Signature)

(Notary printed name)
Notary Public, State of Texas

EXHIBIT P

STATE OF TEXAS

COUNTY OF _____

I, _____, AGREE NOT TO FURTHER
ENCUMBER THE PROPERTY CONVEYED IN TRUST TO THE COMAL
COUNTY BAIL BOND BOARD AND DESCRIBED AS FOLLOWS:

WITHOUT FIRST NOTIFYING AND OBTAINING THE WRITTEN
PERMISSION OF THE BOARD.

(Signature)

State of Texas
County of _____

This instrument was acknowledged before me this _____ day of
_____, 20____, by _____.

____ Personally known

____ Produced _____ as identification.

(Notary Signature)

(Notary printed name)
Notary Public, State of Texas

EXHIBIT Q

STATE OF TEXAS

COUNTY OF _____

Affidavit
Designation of Homestead

Please be advised that I, _____, designate my homestead as
_____.

(Address, city, state, zip)

The following properties are not homestead:

(Signature)

State of Texas
County of _____

This instrument was acknowledged before me this _____ day of
_____, 20____, by _____.

____ Personally known

____ Produced _____ as identification.

(Notary Signature)

(Notary printed name)
Notary Public, State of Texas