STATE OF CALIFORNIA

Dave Jones, Insurance Commissioner

DEPARTMENT OF INSURANCE

Legal Division, Corporate Affairs Bureau
45 Fremont Street, 24th Floor
San Francisco, CA 94105

NOTICE

Date: June 16, 2017

To: All Licensees and Other Interested Persons

Subject: Bond of Permittee Engaged in the Bail Bond Business

The Department of Justice at the request of the California Department of Insurance has adopted section 50.16 to Title 11 of the Code of Regulations Article 19 promulgating a revised bond of bail permittee engaged in the bail bond business effective upon filing with the California Secretary of State on May 15, 2017. This bond form is effective for immediate use.

A copy of the Notice of Filing and Printing Only, Notice of Publication of Regulations Submission Form 400 and bond form are with this notice, posted on the Department of Insurance Website.

If you have any question regarding this bond form, please contact Jill Jacobi at (415) 538-4426 or at Jill.Jacobi@insurance.ca.gov.

State of California
Office of Administrative Law

In re:
Department of Justice

Regulatory Action:

Title 11, California Code of Regulations

Adopt sections:
Amend sections: 50.16
Repeal sections:

NOTICE OF FILING AND PRINTING ONLY

Government Code Section 11343.8

OAL Matter Number: 2017-0424-12

OAL Matter Type: File and Print Only (FP)

This action submitted by the Department of Justice is a request to file and print the approved revised surety bond form of the Department of Insurance: Form 437-10 Bond of Permittee Engaged in the Bail Bond Business. (Gov. Code, § 11343.8.) The amendment is exempt from the Administrative Procedure Act. (Gov. Code, § 11110 *et seq.*)

OAL filed this regulation(s) or order(s) of repeal with the Secretary of State, and will publish the regulation(s) or order(s) of repeal in the California Code of Regulations.

Date: May 15, 2017

Mark Storm
Senior Attorney

For: Debra M. Cornez
Director

Original: Xavier Becerra
Copy: Karen W. Yiu

STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW

NOTICE PUBLICATION/REGULATIONS SUBMISSION

FILE PRINT

(See instructions on reverse)

STD. 400 (REV. 01-2013)

For use by Secretary of State only

OAL FILE NUMBERS	NOTICE FILE NUMBER	REGULATORY ACTION NUMBER	EMERGENCY NUMBER
	Z-	2017-0424-12FP	

For use by Office of Administrative Law (OAL) only

2017 APR 24 P 2:58

OFFICE OF ADMINISTRATIVE LAW

NOTICE

REGULATIONS

ENDORSED - FILED
in the office of the Secretary of State of the State of California

MAY 15 2017

1:52 p.m.

AGENCY WITH RULEMAKING AUTHORITY
Department of Justice, for the Department of Insurance

AGENCY FILE NUMBER (If any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE

3. NOTICE TYPE	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
☐ Notice re Proposed Regulatory Action ☐ Other			

OAL USE ONLY	ACTION ON PROPOSED NOTICE	NOTICE REGISTER NUMBER	PUBLICATION DATE
	☐ Approved as Submitted ☐ Approved as Modified ☐ Disapproved/ Withdrawn		

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S)
Department of Insurance bond form

1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)

2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)

SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)

ADOPT

AMEND
Article 19, section 50.16 Bond of ~~Bail~~ Permittee Engaged in the Bail Bond Business

TITLE(S)
11, Div. 1, Chapter 2

REPEAL

3. TYPE OF FILING

- ☐ Regular Rulemaking (Gov. Code §11346)
- ☐ Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)
- ☐ Emergency (Gov. Code, §11346.1(b))
- ☐ Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.
- ☐ Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)
- ☐ Emergency Readopt (Gov. Code, §11346.1(h))
- ☒ File & Print
- ☒ Other (Specify) Revision of surety bond form
- ☐ Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
- ☐ Print Only

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

- ☐ Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))
- ☒ Effective on filing with Secretary of State
- ☐ §100 Changes Without Regulatory Effect
- ☐ Effective other (Specify)

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

- ☐ Department of Finance (Form STD. 399) (SAM §6660)
- ☐ Fair Political Practices Commission
- ☐ State Fire Marshal
- ☐ Other (Specify)

7. CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional)
Karen W. Yiu	510-879-1245		

8. **I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.**

SIGNATURE OF AGENCY HEAD OR DESIGNEE
Karen Yiu

DATE
April 20, 2017

TYPED NAME AND TITLE OF SIGNATORY
Karen W. Yiu, Deputy Attorney General

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

MAY 15 2017

Office of Administrative Law

State of California Department of Insurance

Bond of Permittee Engaged in the Bail Bond Business

Form 437-10 (Rev. 4/2017)

California Code of Regulations section 50.16

Producer Licensing Bureau
P.O. Box 1139
Sacramento, CA 95812-1139
Information (916) 492-3035
www.insurance.ca.gov

State of California
Department of Insurance

BOND OF PERMITTEE ENGAGED IN THE BAIL BOND BUSINESS

(California Insurance Code section 1802.5)

BOND No.:_____
PREMIUM: $ _____per ___

KNOW ALL BY THESE PRESENTS:

THAT WE _____ as Principal, whose address for service is _____

_____

in the State of California, and _____ an admitted surety insurer as Surety hereon, whose address for service is_____

_____ are held and firmly bound unto the People of the State of California, in the penal sum of FIVE THOUSAND DOLLARS ($5,000), for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors, successors and assigns, jointly and severally, firmly by these presents.

The conditions of this obligation are such, that:

WHEREAS, the said Principal is applying to the Insurance Commissioner of the State of California for, or presently holds, a license to engage in the bail bond business in said State as a bail permittee; and

WHEREAS, if so licensed, said Principal may subsequently be licensed as a bail agent by virtue of having filed this bond;

NOW THEREFORE, if said Principal shall account to any person affected, in respect to business done or transactions occurring under or by virtue of authority granted by said license and any license as bail agent which may be issued by virtue of the Principal hereunder being licensed to engage in the bail bond business, for the proper application and disposal of all moneys collected or received by said principal, or his or its agents, solicitors, or employees, then this obligation shall be void; otherwise to remain in full force and effect.

This bond shall take effect on _____, 20____, but not prior to the date of its execution. If no date is hereinabove written, it shall take effect on the later of the two dates of execution set forth below.

Upon its becoming effective, this bond shall continue in full force and effect until canceled or upon the acceptance and filing of a new bond, whichever event first occurs. The Surety may cancel this bond and be relieved of further liability which otherwise thereafter would arise hereunder by delivering thirty (30) days written notice of cancellation to the Insurance Commissioner; but such cancellation shall not affect any liability incurred or accrued hereunder prior to expiration of thirty (30) days after receipt of such notice by said Commissioner, and acceptance and filing of a new bond shall not affect any liability incurred or accrued hereunder prior thereto.

This bond is executed by the Surety to comply with and the bond shall be subject to the provisions of Chapter 7 (commencing with section 1800) of Part 2 of Division 1 of the California Insurance Code, and to the provisions of Chapter 2 (commencing with section 995.010) of Title 14 of Part 2 of the California Code of Civil Procedure. The aggregate liability of the Surety hereunder on all claims whatsoever shall not exceed the penal sum of this bond in any event.

By executing this bond, Principal and Surety agree any action on this bond shall be instituted and prosecuted in the counties of the State of California, with service by U.S. mail as prescribed in California Code of Civil Procedure sections 417.10 and 417.20 and this bond shall be governed by the laws of the State of California.

IN WITNESS WHEREOF the Principal has subscribed his/her/its true name on the date and at the place entered opposite his/her/its signature, and the Surety has subscribed its full and correct name and affixed its corporate seal on the date and at the place shown opposite its signature.

_____ _____, 20__
Principal Date

_____
Place where executed

_____
Surety

By_____ _____, 20__
State position, title or capacity Date

_____
Place where executed

By_____ _____, 20__
State position, title or capacity Date

_____
Place where executed

(Seal)

Note: For instructions as to execution by principal and surety and for form of entity acknowledgement and for form of acknowledgement by individual bail permittee, see California Code of Regulations, title 11, section 50.20.