

## 2023 BAIL BOND BOARD MEMBERS

SHERIFF (Chair)	MIKE GRIFFIS
DISTRICT JUDGE	JOHN SHRODE
COUNTY JUDGE	DUSTIN FAWCETT
COUNTY COURT AT LAW (Co-Chair)	BROOKE HENDRICKS
DISTRICT ATTORNEY	DUSTY GALLIVAN
BONDSMEN REPRESENTATIVE	JUDY BARKER
JUSTICE OF THE PEACE	MISSI WALDEN
DISTRICT CLERK	CLARISSA WEBSTER
COUNTY CLERK	JENNIFER MARTIN
TREASURER	CLEOPATRA CALLAWAY
ATTORNEY REPRESENTATIVE	SPENCER DOBBS

## BONDING COMPANIES

ASA/JUDY'S USA	JUDY BARKER
AMIGOS BONDING	DEBBIE CLAY
PERMIAN BAIL BONDS	CATHY DRAKE
QUE PASA BAIL BONDS	HILDA HUGHES

**ECTOR COUNTY  
BAIL BOND BOARD**

**RULES AND  
REGULATIONS**

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## ECTOR COUNTY BAIL BOND BOARD RULES AND REGULATIONS

The following restatement of Rules and Regulations of the Ector County Bail Bond Board shall govern the giving or making of bail bonds in Ector County, Texas.

1. **NAME:**

The name of the Board is the Ector County Bail Bond Board.

2. **ADDRESS:**

The address of the Board shall be Ector County Courthouse 300 N. Grant Ave. Odessa, Texas 79761.

3. **DEFINITIONS:**

(1.) "Person" means an individual or corporation.

(2.) "Bail Bond Surety" means a person who:

(A) executes a bail bond as a surety or cosurety for another person; or

(B) for compensation deposits cash to ensure the appearance in court of a person accused of a crime

(3.) "Bonding Business" or "Bail Bond Business" means the solicitation, negotiation, or execution of a bail bond by a bail bond surety.

(4.) "Company" includes corporations and other business entities.

(5.) "Bail Bond" includes cash deposit and any similar deposits or written undertaking to assure appearance.

(6.) "Board" means the Ector County Bail Bond Board.

(7.) "Licensee" means a Bail Bond Surety licensed hereunder

4. **MEMBERS OF THE BOARD:**

The Board shall be composed of the following persons:

(A) the county sheriff or a designee from his office who may be his administrator or a deputy sheriff of the rank of at least sergeant

(B) a district judge of the county having jurisdiction over criminal matters and designated by the presiding judge of the administrative judicial district or a designee of the district judge who is approved by the presiding judge

(C) the county judge or a member of the commissioners' court designated by the county judge, or a designee approved by the commissioners' court

(D) a judge of a county court or county court at law in the county having jurisdiction over criminal matters and designated by the commissioners court or a designee of the judge who is approved by the commissioners court

(E) the 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 justice of the peace

(H) the district clerk or the clerk's designee

(I) the county clerk or the clerk's designee, if the county clerk has responsibility over criminal matters

(J) 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 criminal defense attorney;

(K) the county treasurer or the treasurer's designee or, if appointed by the commissioners court in a county that does not have a county treasurer, the person designated by the county commissioners court to perform the duties of the county treasurer

5. **ORGANIZATION OF BOARD:**

(A) The Board, at each January meeting, shall elect a chairperson, vice chairperson.

(B) The chairperson shall preside at all meetings.

(C) The vice chairperson shall act in the temporary absence of the chairperson.

The vice chairperson shall automatically become chairperson if the chairperson fails to serve the entire year for any reason. The Board shall then elect a new chairperson at its next regular meeting.

(D) The secretary (Sheriffs Bail Bond Coordinator); shall keep the minutes of meetings and shall have responsibility for preparation of agendas, posting notices of meetings and maintenance of records of the Board.

(E) All proceedings not specifically governed by these rules and regulations of Occupations Code Chapter 1704 shall be governed by Robert's Rules of Order, Revised.

6. **MEETINGS:**

(A) The Board shall meet on the third (3<sup>rd</sup>) Wednesday of each month at 8:30 a.m. All meetings shall be held in the County Courtroom at the Ector County Courthouse, unless the posted notice specifies an alternate location. All meetings shall be open to the public in accordance with the State Open Meetings Act, and a notice of meeting and agenda shall be posted at least three (3) days prior to each meeting.

(B) The Board may hold other meetings at the call of the chairperson, or in their absence, the vice chairperson, so long as appropriate posted notice of such meeting is made.

(C) A quorum of the conduct of business shall be four (4) members. Motions shall be passed by a majority of those present and voting on the issue.

(D) All proceedings shall be governed by Occupations Code Chapter 1704, of these By-laws, or by Robert's Rules of Order, in declining order of precedence.

(E) The rules and regulations of this Board may be amended or added to by the Board upon written motion of any Board Member. Said motion shall state specifically the amendment to be made, or added and shall be in writing, signed by the presenting member.

All motions shall be presented to the secretary at least ten (10) days before the next meeting and notice shall be sent to all members. Any amendments shall then be considered at the next regular meeting.

7. **BOARD POWERS AND DUTIES:**

**ADMINISTRATIVE AUTHORITY.** A board shall:

- (1) exercise powers incidental or necessary to the administration of this chapter;
- (2) deposit fees collected under this chapter in the general fund of the county or in a separate county fund established for this purpose;
- (3) supervise and regulate each phase of the bonding business in the county;
- (4) adopt and post rules necessary to implement this chapter;
- (5) conduct hearings and investigations and make determinations relating to the issuance, denial, or renewal of licenses;
- (6) issue licenses to qualified applicants;
- (7) deny licenses to unqualified applicants;
- (8) employ persons necessary to assist in board functions; and
- (9) conduct board business, including maintaining records and minutes.

Occupations Code Sec. 1704.101

**ENFORCEMENT AUTHORITY.** (a) A board shall:

- (1) enforce this chapter in the 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 this chapter or a rule adopted by the board under this chapter; and
- (4) require a record and transcription of each board proceeding.



(b) A 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

Occupations Code Sec. 1704.102

8. **LICENSE REQUIRED:**

Except as provided by Section 1704.163, a person may not act as a bail bond surety or as an agent for a corporate surety in the county unless the person holds a license issued under this chapter.

(Occupations Code: Sec. 1704.153)

**ATTORNEY EXEMPTION.**

(A) Except as provided by this section, a person not licensed under this chapter may execute a bail bond or act as a surety for another person in any county in this state if the person:

(1) is licensed to practice law in this state; and

(2) at the time the bond is executed or the person acts as a surety, files a notice of appearance as counsel of record in the criminal case for which the bond was executed or surety provided or submits proof that the person has previously filed with the court in which the criminal case is pending the notice of appearance as counsel of record.

(B) A person executing a bail bond or acting as a surety under this section may not engage in conduct involved with that practice that would subject a bail bond surety to license suspension or revocation. If the board determines that a person has violated this subsection, the board may suspend or revoke the person's authorization to post a bond under this section or may bar the person from executing a bail bond or acting as a surety under this section until the person has remedied the violation.

(C) A person executing a bail bond or acting as a surety under this section is not relieved of liability on the bond solely because the person is later replaced as attorney of record in the criminal case.

(Occupations Code: Sec. 1704.163)

#### 9. **APPLICATION FOR LICENSE:**

An application for license shall be filed with the Board by filing the original and one (1) copy with the Bail Bond Board Coordinator, together with the required filing fee. The filing fee is not refundable and is Five Hundred Dollars (\$500.00). Each application shall be sworn to and shall contain the following information and documentation.

(A) the name, age and address of the applicant. If the applicant is a corporation, a statement whether chartered or admitted to do business in the State of Texas and qualified to write fidelity, guaranty and surety bonds under the Texas Insurance Code, as amended.

(B) the name under which the business shall be conducted.

(C) the street and mailing address where the business is to be conducted.

(D) if the applicant is a corporation, the name of the person who will conduct the business.

(E) taxpayer identification number for the business.

(F) a statement listing any nonexempt real estate owned by the applicant that the applicant intends to convey in trust to the Board to secure payment of any obligations incurred by the applicant in the bail bonding business if the license is granted, if the applicant intends to secure obligations by property. The following shall be included for each parcel listed:

(1) legal description equivalent to the description required to convey the property to a Deed of trust;

(2) current statements from each taxing unit with power to assess or collect taxes against the property indicating that there are no outstanding tax liens against the property and indicating the net value of the property according to either (a) the current appraisal made by a member of the Society of Real Estate Advisors or a member of an Appraisal Institute, or (b) the appraised value on the tax roles of the Ector County Appraisal District, accompanied by a statement from the applicant agreeing to keep all taxes paid of the property while it remains in trust;

(3) an abstractor's certificate showing that the property to be conveyed in trust is not encumbered and a statement that the applicant will not further encumber the property after conveying it in trust to the Board without notifying and obtaining permission of the Board;

(4) an agreement to keep the insurance current on any improvements on the property against any damage or destruction while the property remains in trust, in the full amount of the value claimed for improvements, with a loss payable clause for the benefit of the Board. The insurance company which issues a policy shall notify the Ector County Bail Bond Board in writing of a cancellation, termination or lapse in the policy required herein;

(5) a statement indication whether the applicant is married, and if so, a sworn statement from the spouse agreeing to the transfer to the Board, as a part of the trust, any right, title or interest that the spouse may have in the property, and that such property is not a homestead:

(6) a sworn affidavit that the property conveyed is not a homestead or

otherwise exempt from encumbrances.

(G) a statement indicating the amount of cash or cashiers checks which the applicant intends to place on deposit, if any, with the county treasurer to secure payment of any obligations incurred by the applicant in the bail bonding business if the licensee is granted:

(H) a complete, sworn financial statement:

(I) a declaration by the applicant that he will comply with the Bail Bond Licensing Act (Occupations Code Chapter 1704 ) and these rules and regulations,

(J) Letters of Recommendation from three (3) reputable persons who have known the applicant for a period of at least three (3) years. Each letter shall recommend the applicant as having a reputation of HONESTY, TRUTHFULNESS, FAIR DEALING and COMPETENCY and shall recommend that the licensee be granted. If the applicant is a corporation, the letters are required for the person in charge of its business;

(K) if the applicant has been licensed in another county, a letter from the appropriate Board stating whether or not the applicant is in good standing in the county where licensed;

(L) a photograph of the applicant and a set of fingerprints of the applicant taken by either a deputy sheriff or a Criminal District Attorney Investigator. If the applicant is a corporation, these items are required of the person who will be in charge of the business;

(M) if the applicant is a corporation, the applicant shall furnish a current Certificate from the Texas Insurance Commission showing it to be in good standing.

(N) a sworn affidavit that the applicant has not been convicted of a felony or misdemeanor involving moral turpitude under the law of any state or of the United States, nor within his knowledge, does any agent or employee have a felony conviction. For this purpose, a conviction includes probated sentences.

(O) a statement setting forth each person or entity, which has an interest, whether active or silent, in the bail bond business.

10. **ISSUANCE OF LICENSE:**

(A) unless otherwise provided by the Board, the Sheriff or his designee shall cause an investigation to be made to determine whether the applicant possesses the financial responsibility and meets other requirements of the Bail Bond Licensing Act and these regulations.

(B) the Board shall consider the application at its next regular meeting after ten (10) days after full completion of the application as set forth in Section 9. The applicant shall be notified of the date of consideration of the application by the Board by the mailing of a copy of the agenda and notice of meeting to the address contained in the application;

(C) any person or corporation (through its officers or directors) making an original application for a license pursuant to Occupations Code Chapter 1704 , must appear in person before the Ector County Bail Bond Board, unless otherwise provided by the Board. An appearance before the Board by an officer or director of a corporation shall be deemed a personal appearance by such corporation. Likewise, such individuals must appear before the Board upon their application for renewal of such license unless the Board approves an alternate form of appearance for such renewal applicant.

(D) at the hearing on the application, the Board may submit any questions to the applicant and the applicants agents relevant to its ruling on the application, and the applicant is entitled to present oral and documentary evidence to the Board. If, after hearing, the Board is satisfied that no grounds exist on which to refuse the application, the Board shall enter an order approving the application subject to its perfection by the filing of the security deposit required;

(E) upon notice that the application has been approved, every applicant shall:

- (1) Deposit of Fifty Thousand Dollars (\$50,000.00) by cash, cashiers check or certificate of deposit payable to the Ector County Treasurer;
- (2) In addition, if property is to be used as collateral by the applicant, he shall execute in trust to the Board deeds to the property listed by the applicant, said property to be valued as indicated by the appraisal, but in no event less than Fifty Thousand Dollars (\$50,000.00), the condition of the trust being that the property may be sold to satisfy any final judgements or forfeitures that may be made on bail bonds on which the licensee is surety. Said deeds of trust shall be recorded in the County in which the property is located and applicant shall pay the filing fee. All such property shall be kept free of encumbrances and tax liabilities by the licensee.
- (3) **A letter of credit shall not be taken by the Board from an individual applicant under any circumstances: a letter of credit shall only be taken by the Board from a corporation contingent upon an agent having a one hundred percent (100%) liable contract with said corporation.**
- (4) Before executing any bail bond, a corporation shall first file in the office of the County Clerk of Ector County, Texas, a power of attorney designating that authorizing the named agent of the corporation to execute bail bonds. The power of attorney shall be a valid and binding obligation of the corporation and shall be revocable only by revocation filed in the office of the County Clerk of Ector County, Texas.

11. **LICENSE FEES:**

The fee for initial filing of an application is Five Hundred Dollars (\$500.00) and the renewal fee is Five Hundred Dollars (\$500.00). Said fee shall be payable to Ector County and is not refundable.

12. **MAKING OF BAIL BONDS:**

No bail bond surety may execute bail bonds that in the aggregate exceed ten (10) times the value of the property held as security on deposit or in trust. A county officer or employee designated by the board shall maintain a current total of the bail bond surety's potential liability on bail bonds in force, and no further bail bonds may be written by or accepted from the bail bond surety when the limit is reached. When a bail bond surety's total liability on judgements nisi reaches two (2) times the same amount as he has as security, no further bail bonds may be written until the bail bond surety whose license is effective may, at any time, by posting additional security, increase the bail bond surety's limit.

The Sheriff has the sole responsibility of receiving and approving bail bonds for the purpose of gaining the release of a named principal held in custody by any authority in this county upon accusation of an offense of which the county or district court has jurisdiction.

If collateral, either real or personal, is held by the bail bonding company as security for payment of bail bonding fees, any actions to foreclose that lien on said property shall be in accordance with the law of the State of Texas.

If the collateral is sold, the bail bonding company shall retain the funds owed on any outstanding bail bonding fees, and the remainder shall be returned to the party offering the collateral as security for payment of the bail bonding fee within five (5) days of the sale of the collateral.

13. **FORFEITURES:**

(A) If a final judgement of bail forfeiture that results from the licensee's execution of a bail bond remains unpaid thirty (30) days after the date of said Final Judgement, the cash deposit or proceeds from foreclosure of a Deed of Trust shall be paid over to the County of Ector or a city of the county, as the case may be.

(1) The cash deposit, if any shall be paid over to the County of Ector or to a city in Ector County upon presentation to the County Treasurer of a certified copy of a Final Judgement. Payments to the County of Ector shall be to the clerk of the

court in which the judgement was rendered.

(2) The Deed of Trust, upon presentation to the Board of a certified copy of Final Judgement, shall be immediately posted for foreclosure in accordance with the statutes governing foreclosures of Deed of Trust and shall be sold at foreclosure. Upon posting for foreclosure, the deposit of the licensee is considered depleted by the appraised value of the property. Proceeds from foreclosure sale shall first be applied to any expenses of sale and to court costs, and the remainder then applied to the principal and interest owing on the judgement. If the proceeds are insufficient to satisfy the judgement, then additional properties of the licensee held in trust by the Board may be foreclosed in like manner. After all properties of the licensee held in trust by the Board have been foreclosed and if the judgements(s) are not then fully paid, the Board may direct the execution issues on the judgement. Proceeds remaining after satisfaction of the judgement shall be paid over to the County Treasurer for deposit in the Bail Security Fund to the account of licensee as security for outstanding bail bonds.

(B) A licensee may not continue as a licensee if his deposit is depleted until the amount so depleted is replenished up to the required minimum deposit.

14. **EXPENSE REIMBURSEMENT:**

All fees collected by the Board shall be deposited in the General Fund of the county for use in the administration and enforcement of these Rules and Regulations. The Board is authorized to receive disbursements from the General Fund for reasonable expenses incurred in the enforcement of these Rules and Regulations, but service on the Board is considered an additional duty of office, and the members of the Board are not entitled to compensation for the service but only for reimbursement of any expenses actually incurred as a result of the service.

15. **REPORTS REQUIRED:**



(A) Each licensee shall submit to the Board a sworn written report on January 1, April 1, July 1 and October 1 of each year, listing all bail bonds for which the licensee is liable.

(B) A bail bond surety licensed under these Rules and Regulations shall maintain a record of each bail bond on which the bail bond surety appears as surety. The records shall include the following information for which bail bond executed and enforced.

- (1) The style and number of the cause in which the bail bond is given and the court in which it is executed.
  - (2) The name of the defendant released on bail bond.
  - (3) The amount of the bail set in the case.
  - (4) The amount and type of security held by the bail bond surety, together with a statement as to whether the security was taken for payment of a bail bond fee or for the assurance for the principal's appearance in court and the conditions under which the security will be returned. No security shall be held for both the payment of a bail bond fee and assurance of the principals appearance in court that is in excess of the particular risk involved.
- (C) If the licensees net worth has changed, either increasing or decreasing, as much as Twenty-five thousand Dollars (\$25,000.00) a new financial statement shall be filed with the Board.
- (D) If a licensee disposes of, acquires additional, or exchanges any real estate, the licensee shall within ten (10) days thereof, file with the Board an amended list showing the change. **This only applies to Deeds of Trust or Certificates of Deposit.**
- (E) The records shall be submitted to the Board or a person designated

by the Board for inspection prior to each renewal of the bail bond surety's license and shall be available for inspection on demand by the Board or its authorized representative.

16. **CESSATION OF BUSINESS:**

If a licensee ceased to engage in the business of executing bail bonds and ceases to maintain his license, he, his heirs and assigned may withdraw their security deposit or trust or any part remaining after satisfaction of judgements, together with any interest accrued thereon, if there are no bail bond liabilities outstanding against the license, upon presentment of a release by the Board.

17. **REFUSAL SUSPENSION AND REVOCATION OF LICENSES:**

(A) No license may be issued to any person who has not complied with the requirements of this Rules and Regulations for applying for an original or renewal license.

(B) The Board may, on its own motion, and shall, on receipt of a sworn complaint providing reasonable cause to believe that a violation of these Rules and Regulations has occurred or on the request of a court; investigate the actions and records relating to such complaint against any bail bond surety whom it has licensed. The Board may, after notice and hearing suspend or revoke a license for;

- (1) violation of a provision of those Rules and Regulations or a rule prescribed by the Board during any prior licensing period;
- (2) fraudulently obtaining a license under the provisions of these Rules and Regulations, making a false statement or misrepresenting in an application for an original or renewal license or in any hearing before the Board, or refusing to answer any question submitted by the Board in a hearing relevant to the license or the conduct or qualifications of the licensee or applicant;

- (3) final conviction under the laws of this and any other state or of the United States of a misdemeanor involving moral turpitude or of a felony committed after November 1, 1981; or knowingly employ an agent or employee who has a felony conviction.
- (4) being adjudged bankrupt or becoming insolvent;
- (5) being adjudged mentally incompetent;
- (6) failing to pay within thirty (30) days from final judgement rendered on any forfeited bail bond in any court of competent jurisdiction within the county;
- (7) paying of commissions or fees or dividing commissions or fees for offering to pay or divide commissions or fees with any person, company, firm or corporation not licensed under these Rules and Regulations to execute bail bonds;
- (8) soliciting bail bond business in any building where prisoners are processed or confined;
- (9) recommending to any client the employment of a particular attorney or firm of attorneys in a criminal case;
- (10) falsifying any records required to be maintained under these Rules and Regulations, failing to keep the records or failing promptly to permit the inspection of the records at any time requested by the Board or its representatives or agents;
- (11) operating as a bail bond surety while the license is suspended or after it has expired and before it is renewed;
- (12) on more than one (1) occasion failing to maintain the minimum amount of security required by these Rules and Regulations or

misrepresenting to any official or employee of the official the limit supported by the amount of security to obtain the release of any person on bail bond.

- (13) knowingly employing any person who fails to meet requirements of (1), (2), (3), (7), (8), (9), (10) and (11) of this section.

18. **PROCEDURE for SUSPENSION or REVOCATION of LICENSE:**

(A) The Board may revoke or suspend a license in accordance with the procedure provided in this section for the violation of any provision of these Rules and Regulations.

(B) Notice of a hearing to suspend or revoke shall be given by certified mail addressed to the last known address of the licensee at least ten (10) days prior to a date set for the hearing.

(C) The notice shall specify the charges of violation of these Rules and Regulations made against the licensee, and no other charges shall be made at the hearing pursuant to the notice.

(D) The hearing shall afford to the licensee opportunity to be heard, to present witnesses in his behalf and to question witnesses against him.

(E) A record of the hearing shall be made. It shall be made available to the licensee on his request subject to his paying reasonable costs of transcription.

(F) If the licensee fails to maintain the security deposit at the proper ratio required by these Rules and Regulations, the Board shall immediately suspend the license while the violation continues. No prior notices or a hearing is necessary. Once the proper ratio is regained, the suspension shall be immediately lifted. The Board shall revoke the license with prior notice of hearing if the licensee fails to pay any final judgement connected with the licensees bail bonding business within thirty (30) days and there is not sufficient property held as security to satisfy the final judgement.

(G) if a license is suspended, the licensee shall post a Fifty Dollar (\$50.00) reinstatement fee prior to the reinstatement of license.

19. **COURT REVIEW:**

An appeal may be taken from any Boards order revoking, suspending or refusing to issue a license. The appeal must be made with thirty (30) days after written notice of the suspension, revocation or refusal by filing a Petition in the District Court. If no appeal is taken within thirty (30) days after written notice of suspension, revocation or refusal, such action shall become final. An appeal shall be by **trial de novo** as in proceedings appealed from Justice to County Courts. The decision of the Board shall have full force and effect pending the determination of the appeal. All appeals taken from the action of the Board shall be against the Board and not against the members individually.

20. **COUNTY TREASURERS RESPONSIBILITY:**

If a cash security deposit is made pursuant to section 10 (e)(1) above, the County Treasurer shall deposit said funds in a special account in the county depository to be called the Bail Security Fund. Checks that are drawn on said funds shall be signed by the County Treasurer and Sheriff. The interest accruing by reason of said deposit shall remain on deposit and accrue to the amount of the licensee. The bank, credit union or County Treasurer, etc. shall make periodic reports to the licensee of the amount of interest accrued. Said fund is subject to audit by the Ector County Auditor, Ector County Bail Bond Board or the Sheriff. If a Deed of Trust is given pursuant to Section 10 (e)(2) above, the licensee shall pay a recording fee, and when recorded, the Deed shall be held by the Ector County Bail Bond Board or Sheriff.

21. **SURRENDER of PRINCIPAL:**

(A) No person who executed a bail bond as a surety for a principal may surrender the principal without written permission of the judge having jurisdiction of the case after the person who executed the bail bond has executed an affidavit to be filed with the Clerk of the Court stating:

- (1) the date the bail bond was made;
- (2) the fee paid for the bail bond;
- (3) the reason for the surrender;
- (4) the contractual agreement that caused the bail bond to be posted;
- (5) the balance still owed.

(B) If the reason for surrender is deemed without reasonable cause by the principal, any agent of the Board, or any attorney representing the state or any accused in the proceeding, that person may bring the matter to the attention of the court, and Ector County Bail Bond Board.

(C) If the court or Ector County Bail Bond Board determines that the person who surrendered the principal did so without reasonable cause, the court and Ector County Bail Bond Board in its discretion may require that all or part of the fees paid as a condition for making the bail bond shall be returned to the principal. In making the determination, the court or the Ector County Bail Bond Board shall determine what fees, whether denominated fees for the making of the bail bond or not, were in fact paid for the purpose of inducing the surety to make the bail bond.

(D) Notwithstanding any statute required to the contrary or any provision in the bail bond, the court may not require or commit the surety to remain during any appeal of the case without approval of the surety, the bail shall be discharged. Nothing shall deny the principal any right to an appeal bond as provided in the Code of Criminal Procedure, 1965, as amended.

22. **CORPORATION DEFAULT:**

(A) A corporation that is in default on five or more bail bonds in Ector County may not act as a bail bond surety;

(B) A corporation is in default on a bail bond from the time the trial court

enters its final judgement on the forfeitures until the judgement is satisfied or set aside;

(C) A corporation is not in default if it deposits with the appropriate court case in full amount of a final judgement, pending appeal. The deposit shall be applied to the payment of any final judgement in the case;

(D) Upon presentation of a certified copy of an unpaid final judgement, the County Treasurer shall present the letter of credit for collection, in the amount of the final judgement plus interest and court costs;

(E) A corporation whose letter of credit has been presented for collection may not execute bail bonds in Ector County until a new irrevocable letter of credit has been furnished to the Sheriff.

23. **CHANGES of NAME:**

In the event the licensee desires to change the name shown in the application; the licensee shall timely place an item on the Boards agenda and render a fee of Fifty Dollars (\$50.00). If the Board is of the opinion that the proposed name is so similar to a present bail bond company's name as to cause confusion, then the Board may deny the name change request.

These Rules and Regulations were adopted on the 18<sup>th</sup> day of

August, 2023.

[Signature]  
Chairperson

[Signature]  
Co-Chairperson

Attest:

8:17 A.M

August 18, 2023.

By: Jennifer Martin  
Jennifer Martin  
Ector County Clerk

