**South Carolina General Assembly**

121st Session, 2015-2016

**A240, R272, H4931**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Gambrell, Gagnon, Bannister, Mitchell and Thayer

Document Path: l:\council\bills\agm\18875ab16.docx

Companion/Similar bill(s): 1138

Introduced in the House on February 11, 2016

Introduced in the Senate on March 17, 2016

Last Amended on May 24, 2016

Passed by the General Assembly on June 1, 2016

Governor's Action: June 5, 2016, Signed

Summary: Continuing education for bondsmen

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 2/11/2016 House Introduced and read first time ([House Journal‑page 89](file:///h%3A%5CHJ%20Archive%5C2016%5C02-11-16.docx))

 2/11/2016 House Referred to Committee on **Labor, Commerce and Industry** ([House Journal‑page 89](file:///h%3A%5CHJ%20Archive%5C2016%5C02-11-16.docx))

 3/10/2016 House Committee report: Favorable **Labor, Commerce and Industry** ([House Journal‑page 22](file:///h%3A%5CHJ%20Archive%5C2016%5C03-10-16.docx))

 3/16/2016 House Amended ([House Journal‑page 49](file:///h%3A%5CHJ%20Archive%5C2016%5C03-16-16.docx))

 3/16/2016 House Read second time ([House Journal‑page 49](file:///h%3A%5CHJ%20Archive%5C2016%5C03-16-16.docx))

 3/16/2016 House Roll call Yeas‑107 Nays‑0 ([House Journal‑page 51](file:///h%3A%5CHJ%20Archive%5C2016%5C03-16-16.docx))

 3/17/2016 House Read third time and sent to Senate ([House Journal‑page 12](file:///h%3A%5CHJ%20Archive%5C2016%5C03-17-16.docx))

 3/17/2016 Senate Introduced and read first time ([Senate Journal‑page 15](file:///h%3A%5CSJ%20Archive%5C2016%5C03-17-16.docx))

 3/17/2016 Senate Referred to Committee on **Labor, Commerce and Industry** ([Senate Journal‑page 15](file:///h%3A%5CSJ%20Archive%5C2016%5C03-17-16.docx))

 3/22/2016 Senate Recalled from Committee on **Labor, Commerce and Industry** ([Senate Journal‑page 5](file:///h%3A%5CSJ%20Archive%5C2016%5C03-22-16.docx))

 3/22/2016 Senate Committed to Committee on **Banking and Insurance** ([Senate Journal‑page 5](file:///h%3A%5CSJ%20Archive%5C2016%5C03-22-16.docx))

 4/14/2016 Senate Committee report: Favorable with amendment **Banking and Insurance** ([Senate Journal‑page 11](file:///h%3A%5CSJ%20Archive%5C2016%5C04-14-16.docx))

 5/12/2016 Senate Committee Amendment Adopted ([Senate Journal‑page 32](file:///h%3A%5CSJ%20Archive%5C2016%5C05-12-16.docx))

 5/24/2016 Senate Amended ([Senate Journal‑page 28](file:///h%3A%5CSJ%20Archive%5C2016%5C05-24-16.docx))

 5/24/2016 Senate Read second time ([Senate Journal‑page 28](file:///h%3A%5CSJ%20Archive%5C2016%5C05-24-16.docx))

 5/24/2016 Senate Roll call Ayes‑40 Nays‑3 ([Senate Journal‑page 28](file:///h%3A%5CSJ%20Archive%5C2016%5C05-24-16.docx))

 5/26/2016 Senate Read third time and returned to House with amendments ([Senate Journal‑page 175](file:///h%3A%5CSJ%20Archive%5C2016%5C05-26-16.docx))

 6/1/2016 House Concurred in Senate amendment and enrolled ([House Journal‑page 90](file:///h%3A%5CHJ%20Archive%5C2016%5C06-01-16.docx))

 6/1/2016 House Roll call Yeas‑96 Nays‑0 ([House Journal‑page 91](file:///h%3A%5CHJ%20Archive%5C2016%5C06-01-16.docx))

 6/2/2016 Ratified R 272

 6/5/2016 Signed By Governor

 6/10/2016 Effective date 06/05/16

 6/13/2016 Act No. 240

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=4931&session=121&summary=B) at the website

**VERSIONS OF THIS BILL**

[2/11/2016](file:///p%3A%5Cpprever%5C2015-16%5C4931_20160211.docx)

[3/10/2016](file:///p%3A%5Cpprever%5C2015-16%5C4931_20160310.docx)

[3/16/2016](file:///p%3A%5Cpprever%5C2015-16%5C4931_20160316.docx)

[4/14/2016](file:///p%3A%5Cpprever%5C2015-16%5C4931_20160414.docx)

[5/12/2016](file:///p%3A%5Cpprever%5C2015-16%5C4931_20160512.docx)

[5/24/2016](file:///p%3A%5Cpprever%5C2015-16%5C4931_20160524.docx)

(A240, R272, H4931)

**AN ACT** **TO AMEND SECTION 38‑53‑85, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EDUCATION AND CONTINUING EDUCATION REQUIREMENTS FOR PROFESSIONAL BONDSMEN, SURETY BONDSMEN, AND RUNNERS, SO AS TO INCREASE THE NUMBER OF HOURS OF EDUCATION REQUIRED FOR LICENSURE AND FOR CONTINUING EDUCATION.**

Be it enacted by the General Assembly of the State of South Carolina:

**Education and continuing education requirements increased**

SECTION 1. Section 38‑53‑85 of the 1976 Code is amended to read:

 “Section 38‑53‑85. (A)(1) An applicant for a license to work as a professional bondsman, surety bondsman, or runner must complete not less than thirty hours of education in subjects pertinent to the duties and responsibilities of a professional and surety bondsman or runner, including all laws and regulations related to being a professional or surety bondsman or runner. A written examination must be administered at the conclusion of the course work. An applicant must pass the examination before he can be licensed.

 (2) A person licensed as a professional bondsman, surety bondsman, or runner annually must complete not less than eight hours of continuing education in subjects related to the duties and responsibilities of a professional and surety bondsman or runner before his license may be renewed. The continuing education courses may not include a written or oral examination. The eight‑hour annual requirement is in addition to the twenty‑four hour continuing education requirement for surety insurance agents required in Section 38‑43‑106.

 (B) A person licensed as a professional bondsman, surety bondsman, or runner before the effective date of this section is not required to complete the requisite thirty hours of education but must complete eight hours of continuing education courses to have his license renewed.

 (C) The South Carolina Bail Agent’s Association or another group or association approved by the Department of Insurance to provide educational courses to bondsmen must establish an educational curriculum for bondsman licensure. The department must approve the courses offered and ensure that the courses meet the standards for education established by this section and the department. The course work requirement for licensure may not be satisfied by a mail order course. The department also must approve a written examination to be administered by a group that provides educational courses administered at the conclusion of the thirty‑hour course work.

 (D) A person who falsely represents that he has met the educational requirements of this section is subject, after being afforded notice and an opportunity for a due process hearing by the Administrative Law Court, to the penalty provided in Section 38‑53‑340.

 (E) A professional bondsman, surety bondsman, or runner who is more than sixty years of age and who has at least twenty years of licensure is exempt from the continuing education requirements in this section.

 (F) The director shall establish rules and regulations for the effective administration of this section.”

**Time effective**

SECTION 2. This act takes effect upon approval by the Governor.

Ratified the 2nd day of June, 2016.

Approved the 5th day of June, 2016.

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