

On this the 15th day of AUGUST, 2018, the Bail Bond Board of Leon County, Texas, met for it's regularly scheduled meeting at 1:30 P.M. with the following members present:

Byron Ryder – County Judge
Kevin Ellis – Sheriff
Beverly Wilson – District Clerk
Deborah O. Evans – Judge, 87th District Court ABSENT
Hope Knight – District Attorney ABSENT – KEITH COOK
David Grimes – Commissioner Pct. No. 4 - ABSENT
Jack Keeling – Justice of Peace Pct. 2
Christie Wakefield – County Clerk
Brandi Hill – County Treasurer
Mark Taylor – Bail Bond Representative – (Steve Torno) ABSENT
Charley Johnson – Criminal Defense Attorney -ABSENT

Also in attendance – Sonny Ellen, Paskel Foster, Cassandra Lacey, Bobby Brotherton

1. Discuss and possibly take action on minutes from previous meeting(s).
 - a. Kevin Ellis made motion to approve minutes, Second by Brandi Hill, motion carried
2. Discuss and possibly take action on revisions to local rules.
 - a. Keith Cook made motion to approve revisions, Second by Kevin Ellis, motion carriedDiscussion: Paskel went through proposed changes, revisions reviewed by five attorneys and four bail bondsmen.
3. Discuss and possibly take action on partial release of collateral from Anco2 Bail Bonds.
 - a. Kevin Ellis made motion to approve partial release of 90 acres, Second by Keith Cook, motion carriedDiscussion: Paskel explained that Mr. Brotherton had more collateral than needed with one tract to cover any judgments. Propose to release 90 acres and leave 40 acres as collateral.
4. Schedule next meeting – September 19, 2018
5. Public Comments. – Sonny Ellen would like to commend Paskel Foster and Beverly Wilson on their hard work on the local rules.
6. Adjourn. – Kevin Ellis made motion to adjourn, second by Christie Wakefield, motion carried.

SIGNED AND APPROVED this ___ day of _____, 2018.

Byron Ryder, County Judge (Chair)

Kevin Ellis, Sheriff (Vice Chair)

Beverly Wilson, District Clerk (Secretary)

Deborah Oakes Evans, 87th District Judge

Hope Knight, District Attorney

David Grimes, Commissioner Pct 4

Jack Keeling, Justice of the Peace Pct 2

Christie Wakefield, County Clerk

Brandi Hill, County Treasurer

Charley Johnson, Criminal Defense Attorney

Mark Taylor, Bail Bond Representative

Leon County Bail Bond Board Local Rules

The following rules have been adopted by the Leon County Bail Bond Board, hereafter called the Board, pursuant to its authority under Chapter 1704 of the Texas Occupations Code (hereinafter the "Bail Bond Act"). The rules relate to those persons or entities who may be licensed as a Bail Bond Surety, as defined in the Bail Bond Act, and who may write a bail bond in Leon County, Texas. Any rule violation may result in sanctions as the Board may assess pursuant to Texas Laws. The provisions of Chapter 1704, Texas Occupations Code (Regulation of Bail Bond Sureties) are adopted herein in their entirety. Any conflict between these rules and the provisions of Chapter 1701 shall be resolved in favor of the statutory provision. Should a conflict be found to exist, the statutory provision set out in Chapter 1704 shall prevail.

The Procedure and Rules herein are effective and supersede all previous Procedures, Rules and Regulations of the Leon County Bail Board upon proper posting pursuant to the Texas Government Code.

General Provisions

1. Application

These rules and regulations apply to all individual bonding companies or corporations licensed to write bonds in Leon County, Texas.

2. Definitions

- A. The Act of this Act means Section 1704, Texas Occupation Code as amended.
- B. "Bail Bond" means a cash deposit, or similar deposit or written undertaking, or a bond or other security, given to guarantee the appearance of a defendant in a criminal case.
- C. "Bail Bond Surety" means a person who: executes a bail bond as surety for a person; OR for compensation deposits cash to ensure the appearance in court of a person accused of a crime.
- D. "Board" means the Leon County Bail Bond Board.
- E. "Bonding Business" or "Bail Bond Business" means the solicitation, negotiation, or execution of a bail bond surety.
- F. "Final Judgment" means judgment that disposes of all issues and parties in a case.
- G. "Person" means an individual or corporation.

Board Composition (1704.053)

- A. The Leon County Bail Bond Board shall consist of the following persons
 - 1. Sheriff or a designee from the sheriff's office who must be the sheriff's administrator or deputy sheriff of the rank of at least sergeant
 - 2. A district judge of the county having jurisdiction over criminal matters and designated by the presiding judge of the administrative judicial district
 - 3. The county judge, a member of the commissioner's court designated by the county judge, or a designee approved by the commissioner's court

4. A county court at law judge in the county having jurisdiction over criminal matters and designated by the local county court at law administrative judge
 5. The district attorney or an assistant district attorney designated by the district attorney
 6. A licensed bail bond surety or agent for a corporate surety in the county or a bail bond surety or agent for a corporate surety licensed in the county who is designated by elected surety or agent
 7. A justice of the peace
 8. The district clerk or the clerk's designee
 9. The county clerk or the clerk's designee, if the county has responsibility over criminal matters
 10. If appointed by the board, a presiding judge of a municipal court in the county
 11. 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, a person designated by the county commissioners court to perform the duties of the county treasurer
 12. 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 of the designee of the criminal defense attorney.
- B. Persons elected, appointed, or designated by the proper authority to serve on the Board shall continue to serve until a successor is properly elected, appointed or designated unless for any reason the person so elected, appointed, or designated be sooner disqualified. In such event, the secretary shall request the proper authority to appoint or designate a proper person to fill the vacancy or shall call for an election by licensed bondsmen to select a bondsmen's representative.

Annual Election of the Licensed Bail Bond Sureties' Representative (1704.0535)

- A. The bail bondsmen's representative on the Board shall be a licensed bonds person, actively engaged in the bail bond business who shall be elected for a term of one year by major vote of licensed bonds persons or agents of corporate surety.
- B. Beginning November 1st of each year, the Bail Bond Board Secretary will accept requests from Licensed Bail Bond Sureties in Leon County to be placed on the ballot. Requests to be placed on the ballot shall be provided to the Bail Bond Board Secretary in any manner required by the Bail Bond Board Secretary. Any Bail Bond Board Surety requesting to be placed on the ballot will be placed on the ballot. In the event that no Bail Bond Surety requests to be placed on the ballot, every licensed Surety will be included on the ballot.
- C. The Bail Bond Board shall prepare and mail out ballots to all Licensed Bail Bond Sureties in Leon County by November 15th of each year. Any licensed bail bond surety desiring to vote shall return said ballot to the Bail Bond Board secretary prior to the 15th of each December. Each individual licensed in the county as a bail bond surety or agent for a corporate surety is entitled to cast one vote for each license held.
- D. The elections shall be conducted by secret ballot on ballots provided by the Board. The Ballots are the property of Leon County Bail Bond Board.
- E. The ballots will be placed in a sealed ballot box and shall be opened and the votes tallied and canvassed by the Board at its first regular meeting after the election is conducted. Ballots where more than one candidate is marked are VOID and shall not be counted.

- F. The licensed bail bond sureties' representative shall be elected by a simple majority of the votes cast. The licensed bail bond sureties' representative shall take office at the regular January meeting of the Board.
- G. In the event of a tie, the sheriff of Leon County shall conduct a coin toss and the winner shall be the representative of the licensed bail bond board surety to Leon County Bail Bond Board.
- H. The Bail Bond Sureties Representative's term shall run from January 1 of each year through December 31, of each year.

Annual Election of the Criminal Defense Attorney Representative (1704.0535(c))

- A. The defense attorney representative on the board shall be a criminal defense attorney who is practicing in the county and who has a principal place of business in the county who is not legally prohibited from representing criminal defendants in the county is entitled to cast one vote to elect the board member who is the criminal defense attorney.
- B. Beginning November 1st of each year, the Bail Bond Board Secretary will accept requests from criminal defense attorneys in Leon County to be placed on the ballot. Requests to be placed on the ballot shall be provided to the Bail Bond Board Secretary in any manner required by the Bail Bond Board Secretary. Any criminal defense attorney requesting to be placed on the ballot will be placed on the ballot. In the event that no criminal defense attorney requests to be placed on the ballot, every criminal defense attorney will be included on the ballot.
- C. The Bail Bond Board shall prepare and mail out ballots to all criminal defense attorneys in Leon County by November 15th of each year. Any criminal defense attorney desiring to vote shall return said ballot to the Bail Bond Board secretary prior to the 15th of each December. Each individual criminal defense attorney in the county is entitled to cast one vote for each license held.
- D. The elections shall be conducted by secret ballot on ballots provided by the Board. The Ballots are the property of Leon County Bail Bond Board.
- E. The ballots will be placed in a sealed ballot box and shall be opened and the votes tallied and canvassed by the Board at its first regular meeting after the election is conducted. Ballots where more than one candidate is marked are VOID and shall not be counted.
- F. The criminal defense attorney representative shall be elected by a simple majority of the votes cast. The criminal defense attorney representative shall take office at the regular January meeting of the Board.
- G. In the event of a tie, the sheriff of Leon County shall conduct a coin toss and the winner shall be the representative of the criminal defense attorney to Leon County Bail Bond Board.
- H. The criminal defense attorney representative's term shall run from January 1 of each year through December 31, of each year.

Annual Election of the Justice of the Peace Representative (1704.0535(d))

- A. Each elected Justice of the Peace in the county who is not legally prohibited from voting in the election for the purpose is entitled to cast one vote to elect the board member who is the Justice of the Peace representative.
- B. Beginning November 1st of each year, the Bail Bond Board Secretary will accept requests from Justice of the Peace in Leon County to be placed on the ballot. Requests to be placed on the ballot shall be provided to the Bail Bond Board Secretary in any manner required by the Bail

Bond Board Secretary. Any Justice of the Peace requesting to be placed on the ballot will be placed on the ballot. In the event that no Justice of the Peace requests to be placed on the ballot, every Justice of the Peace will be included on the ballot.

- C. The Bail Bond Board shall prepare and mail out ballots to all Justices of the Peace in Leon County by November 15th of each year. Any Justice of the Peace desiring to vote shall return said ballot to the Bail Bond Board secretary prior to the 15th of each December. Each individual Justice of the Peace in the county is entitled to cast one vote for each license held.
- D. The elections shall be conducted by secret ballot on ballots provided by the Board. The Ballots are the property of Leon County Bail Bond Board.
- E. The ballots will be placed in a sealed ballot box and shall be opened and the votes tallied and canvassed by the Board at its first regular meeting after the election is conducted. Ballots where more than one candidate is marked are VOID and shall not be counted.
- F. The Justice of the Peace shall be elected by a simple majority of the votes cast. The Justice of the Peace representative shall take office at the regular January meeting of the Board.
- G. In the event of a tie, the sheriff of Leon County shall conduct a coin toss and the winner shall be the representative of the Justice of the Peace to Leon County Bail Bond Board.
- H. The Justice of the Peace representative's term shall run from January 1 of each year through December 31, of each year.

Annual Election of Officers (1704.054)

- A. The Board shall conduct an annual election of the presiding officer at the regular January meeting of the Board. The presiding officer shall be elected by a simple majority vote of the quorum present. The presiding officer may succeed him or herself. In like manner the board shall choose a vice-chairperson who shall act in the temporary absence of the chairperson. In the event the chairperson is disqualified for any reason before the end of his term the vice-chairperson shall automatically become the chairperson. In such event, or if the vice-chairperson becomes disqualified, at the next regular meeting a new vice-chairperson shall be chosen.
- B. In the same manner the board shall choose a secretary who shall act in the temporary absence of the chairperson and the vice-chairperson.
- C. 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 affairs not otherwise specifically assigned by these rules and regulations. The Board may designate by resolution an assistant secretary, who need not be a member of the Board, to assist the secretary in the discharge of the secretary's duties. If a member of the Board, the actions of the assistant secretary shall have the same effect and validity as the actions of the secretary. The assistant secretary may sign any notices, correspondence, certify records, etc., in the secretary's name. In the event the secretary or assistant secretary becomes disqualified for any reason before the end of their term a new secretary or assistant secretary shall be selected.
- D. All proceedings not governed by specific statutory provision or rule of the Board shall be conducted in accordance with Roberts Rules of Order and the presiding officer shall be ex-officio Parliamentarian.

Meetings (1704.55)

- A. The Leon County Bail Bond Board shall hold regular meetings on the third (3rd) Wednesday in January, April, July and October and any other month in which a meeting is needed, at 1:30 p.m. in the Leon County Annex 2, at 155 North Cass Street, Centerville, Texas. Notices of the meeting will be posted on the Leon County website, and on the south side of the Leon County Courthouse not less than 72 hours in advance of each meeting.
- B. Any requests for special or emergency meetings shall be by written request to the Bail Bond Board chairperson and shall be accompanied by all pertinent data including a statement of why a special or emergency meeting should be called. The request for an emergency meeting must comply with the Texas Open Meetings Act.

Agenda

- A. Items submitted for the Bail Bond Board to be placed on the Agenda shall be submitted, in writing, to the Bail Bond Board secretary no later than the close of business on the Wednesday of the week before the regular Wednesday Bail Bond Board Meeting. No item will be placed on an agenda until all relevant information is delivered to the Board Secretary's Office.

Quorum; Majority Vote (1704.056)

- A. Four members of a board constitute a quorum.
- B. A board may take action only on a majority vote of the board members present.

BOARD POWERS AND DUTIES

Administrative Authority (1704.101)

In addition to the powers and duties given the Leon County Bail Bond Board by the act, the Board has the following powers and duties:

- A. Exercise powers incidental or necessary to the administration of the bail bond business;
- B. Deposit fees collected in the general fund of the county;
- C. Supervise and regulate each phase of the bond business in the county;
- D. Adopt and post rules necessary to administer the bail bond business;
- E. Conduct hearings and investigations and make determinations relating to the issuance, denial, or renewal of licenses;
- F. Issue licenses to qualified applicants;
- G. Deny licenses to unqualified applicants;
- H. Employ persons necessary to assist in board functions; and
- I. Conduct board business, including maintaining records and minutes.

Enforcement Authority (1704.102)

The Leon County Bail Bond Board shall:

- A. Enforce the Act in the County;
- B. Conduct hearings and investigations and make determinations relating to license suspension and revocation;
- C. Suspend or revoke a license for violation of the Act or a rule adopted by the board; and

- D. Require a record or tape recording of each board proceeding.

The Board may:

- A. 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
- B. Compel the appearance before the board of an applicant or license holder.

Disbursement from County Fund (1704.103)

- A. Fees deposited in the general fund of the County by the board may be used only to administer and enforce this Act, including reimbursement for:
 - 1. Reasonable expenses incurred by the board in enforcing this Act; and
 - 2. Actual expenses incurred by a board member in serving on the board.
- B. For purposes of this section, serving on a board is an additional duty of a board member's office. A board member may not receive compensation for serving on a board.

Posting of Board Rules or Actions (1704.104)

- A. The board shall post on the bulletin board at the Leon County Courthouse in front of the District Clerk's Office, Centerville, Texas, any rule adopted or an action taken by the board for 10 days preceding the date the rule or action takes effect.

Licensee Advertising Restrictions (1704.109)

- A. No bondsman (licensed or exempt) shall place, or permit to be placed, any advertising at any place where prisoners are examined, processed, or confined, nor in a location visible from a place where prisoners are examined, processed, or confined. The dissemination of personal or professional cards or solicitation by word, act or deed shall be deemed advertising.

Application Requirements (1704.154)

- A. All application forms are available through the Bail Bond Board. All completed Application Forms must be submitted to the Board through the Leon County Treasurer's Office with all required attachments including a certified copy of the Power of Attorney (for Corporations) filed with the Leon County Clerk.
- B. All applications shall be submitted with original and (1) one copy. Identifying information (date of birth, social security number and account numbers) may be redacted from the copy. An email address is requested to be on all Application Forms for notification of any additional information needed.
- C. Applications for a "Bail Bond Surety License" shall be on the form adopted by this Board, a completed Application Form for an original Bail Bond Surety License, along with all required attachments, must be on file with the Board at least thirty (30) days before a license will be considered by the Board.
- D. A completed Application Form for a renewal of an existing Bail Bond Surety License, along with all required attachments, must be on file with the Board at least thirty (30) days prior to the expiration of the license.
- E. Each application for a license (original or renewal) must be accompanied by a filing fee of \$500.00. This \$500.00 filing fee is not refundable. Each applicant is hereby placed on notice that

once the application is submitted, the \$500.00 filing fee will not be refunded. (Tex. Occ. Code 1704.154 & 1704.162)

- F. The Agent application will have the same renewal date as the licensee's application. Each time the licensee wishes to add an Agent, the Agent application will need to be completed and submitted to the Bail Bond Board secretary. The subsequent renewal date for that Agent will then be the same as the licensee's application. The Licensee Surety is to immediately notify the Bail Bond Board secretary in writing of any changes of employment status for said Agents.
- G. Applicant and all employees' agents of the Applicant shall have a criminal background check conducted before Board approval by the Leon County Sheriff's Department to ensure compliance with Tex. Occ. Code 1704.153.
- H. All attorneys who desire to make a bail bond are required to comply with all provisions and rules of the Texas Occupation Code and all applicable Texas Disciplinary Rules of Professional Conduct.

Location of Office (1704.213)

- A. All licenses must maintain an office in Leon County and must notify the Board through the Bail Bond Board secretary within seven (7) days of opening a new office or moving an existing office to a new location. For purposes of these rules, "office" is defined as any location where a licensee conducts bail bond business, maintains business records, employs, meets with clients, accepts payment of bonds, and maintains an advertised phone number for that office. New applicants will have forty-five (45) days from the date of approval of their application to establish, maintain, and provide the Board with information on their office location.

Address and Phone Number Changes

- A. If any address or telephone number listed on the most recent application for license should change for any reason, the applicant or licensee shall provide written notice of such changes within 5 business days to the Bail Bond Board secretary.

Notice of Changes in Registered or Designated Agents or Attorneys

- A. Both individual and corporate sureties shall notify the Board through the Bail Bond Board chairperson in writing of any change in the registered or designated agent or attorney for service of citation within five business days of such a change. Sureties shall include the full name, address and telephone number of the new registered or designated agent or attorney for service. This includes notice of the waiver or rescinding of the waiver of citation as contemplated by Texas Code of Criminal Procedure Art. 22.03 filed with the Application Form.

Security Checks and Certificates of Deposit (1704.160)

- A. Cashier's Checks and Certificates of Deposit

Cashier's checks and certificate of deposit intended for use as security for a bail bond license shall be styled "Leon County Treasurer for the benefit of licensee (put licensee company name here)".

The Board will not accept certificates of deposit or cashier's checks containing, or subject to, setoff provisions. Applicants for a license using cashier's checks or certificates of deposit for

security shall execute and have the issuing bank execute a security assignment to the Board. The applicant shall deliver the original to the Leon County Treasurer.

The form for the security assignment will be distributed with Applications. Applicants for a license/Licensed Bail Bond Sureties using cashier's checks or certificates of deposit for security shall deliver the original cashier's checks or certificates of deposit to the Leon County Treasurer.

The Leon County Treasurer shall take possession of the original cashier's checks or certificates of deposit and the Security Assignment.

Real Property as Collateral (1704.155)

- A. When a licensee submits real property as collateral (a) it must be appraised by a real estate appraiser who is a member in good standing of a nationally recognized professional appraiser society or trade organization that has an established code of ethics, educational program, and professional certification program, e.g. Member of Appraisers Institute (M.A.I.) or Society of Real Estate Appraisers (S.R.E.A.); or provided proof of value according to a statement from the county's most recent tax appraisal roll; (b) it must have a minimum appraised value of Fifty Thousand Dollars (\$50,000.00); (c) it must be re-appraised for each license renewal thereafter or if the certified tax appraisal roll is used to determine value, a statement must be annually provided to the Board on the anniversary of the effective date of surety's license.

Real Property Deeded in Trust to the Board must meet the following requirements:

- a) Property cannot be exempt from forced sale;
- b) The following documentation must be submitted:
 - a. Original or Certified copy of deed of trust executed and filed vested in the name of the licensee, specifying that there are no outstanding liens against the property other than the Board's deed of trust
- c) Surety must annually provide proof of property insurance covering any improvements on the property in accordance with section 11 (B)(6) of these Rules.
- d) Official tax receipt photocopies of all State, County, City and School District taxes through the previous tax year must be timely submitted with application or renewal application.

Any Deeds of Trust must be in a form approved by the Board. The Board must be the Grantee in the Deed(s) of Trust and such must be recorded with the Leon County Clerk or in the county wherein the property used as collateral is located. Prior to recording, the deed of trust must be approved as directed by the Board. The original or certified copy of the recorded Deed of Trust will be held and secured as directed by the Board.

On or before June 30th of each year, bondsmen with real estate pledged as collateral for making bail bonds will provide a copy of paid tax receipts for each piece of real estate so pledged to the Bail Bond Board. These receipts must show proof of taxes paid in full by June 30th, and must show such payment for any County, City, School District and other ad valorem taxes which are due for the previous calendar year. Failure to comply with this provision will result in the applicable property being immediately deducted from posted collateral as of June 30th of the applicable year. If a

bondsman provides proof that taxes were paid in full by June 30th, but provides that proof after June 30th, any collateral previously deducted by the Board shall be immediately restored to the bondsman's account without the necessity of further Board action.

If, however, a bondsman fails to pay taxes in full by June 30th but makes a later payment in full, he must make a request to the Board for reinstatement of collateral. Upon written request from a bondman received ten (10) days before a scheduled monthly meeting of the Board, a request to reinstate real estate pledged which has been deducted from posted collateral for non-payment or late payment of property taxes as stated above shall be placed on the agenda for the Board's consideration. If the bondman provides proof at such a meeting that all property taxes and penalties have been fully paid as of that time, the real estate pledges shall be immediately restored to a bondsman's posted collateral.

Within ten (10) day after the insurance policy renewal date, bondmen with real estate pledged as collateral for making bail bonds will annually provide proof of insurance coverage for each piece of real estate improvements so pledged to the Bail Bond Board secretary. The amount of the policy is not required to exceed the value of the improvement that is pledged as collateral. Failure to comply with this provision will result in the applicable property being immediately deducted from posted collateral. If a bondsman provides proof that insurance is currently in effect, but provides that proof after the due date (i.e. within 10 days after the insurance policy renewal date), he must make a request to the Board for reinstatement of collateral. Upon written request from a bondsman received ten (10) days before a scheduled monthly meeting of the Board, a request to reinstate real estate pledged which has been deducted from posted collateral for not providing proof of insurance as stated above shall be placed on the agenda for the Board's consideration. If the bondsman provides proof at such a meeting that the bondman has properly insured the property as of that time, the real estate pledged shall be immediately restored to a bondsman's posted collateral.

Names on Bonds Bond Forms

- A. All sureties shall include their full names, addresses for court notices, addresses for service of citation, and license numbers, all legibly written, on the face of each bond they write in Leon County. Failure to comply with this rule may result in the suspension or revocation of a license.
- B. All bonds shall be issued on the form adopted by this Board.

Recording Requirements (1704.202)

- A. A license holder shall maintain:
 - 1. A record of each bail bond executed by the license holder; and
 - 2. A separate set of records for each county in which the license holder is licensed.
- B. The records required to be maintained under the Act must include for each bail bond executed and enforced:
 - 1. The style and number of the case and the court in which the bond is executed;
 - 2. The name of the defendant released on bond;
 - 3. The amount of bail set in the case;
 - 4. The amount and type of security held by the license holder; and
 - 5. A statement of:
 - a. Whether the security held by the license holder is:

1. For the payment of a bail bond fee; or
 2. To assure the principal's appearance in court; and
- b. The conditions under which the security will be returned.
- C. The records required shall be:
- a. Made available for inspection and copying at the board's expense on demand by the board or an authorized representative of the board;
 - b. Maintained at the license holder's office location in the county; and
 - c. Maintained for not less than four years after the conclusion of the case for which the bond was given.
- D. Each licensee shall provide to the Leon County Bail Bond Board Secretary by the 20th day of each month a report showing the total amount of bonds outstanding and the total amount of pending judgments for their company in Leon County.

Complaints (1704.251)

A. Filing a Complaint

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

B. Processing a Complaint

Upon receipt of a complaint, the Secretary shall send a copy to each member of the Board. 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 Chairperson of the Board, and shall make such orders as it deems appropriate respecting the investigation and prosecution of said complaint.

C. Notice of Complaint

The Secretary shall give notice to the accused licensee by certified mail at least ten (10) days prior to the date of a hearing on the complaint. The notice shall specify the charges of the violation made against the licensee, and the hearing shall be limited to those charges.

D. Rule 505 Subpoenas

The Board vests authority to issue subpoenas upon the request of any interested person through the Chairperson, Vice Chairperson, or Secretary of the Board.

Surrender of Principal (1704.207)

All Surrender of Principal requests shall be on the form adopted by this board.

Bail Bond Forfeitures (1704.204-1704.205)

A Surety must pay all reasonable and necessary expenses incurred by any peace officer in re-arresting his or her clients in the event that the clients fail to appear before a court or magistrate as specified. When a surety receives a bill for such re-arrest from the Sheriff of Leon County, such bill must be paid within thirty (30) days of the date indicated on the letter unless the surety provides proof to the Leon County Sheriff that he or she is contesting the expenses in county or that a bail bond forfeiture case in connection with the expenses has not yet been

finally adjudicated. If a Surety fails to pay re-arrest expenses in accordance with this rule, he or she will be suspended from the active bond list by the Leon County Sheriff until such time as payments are current and in compliance with this rule.

All Leon County Bond Forfeitures must be paid within thirty (30) days following final judgment or the bondsperson will be suspended from the active bond list, unless an appeal has been filed.

Savings Clause

The rules and regulations promulgated by the Board are in addition to the Texas Occupations Code and the Texas Code of Criminal Procedure and in case of a conflict, the statute will prevail.

Other

- A. No bond shall be accepted by the Sheriff from a bondsman, bonding company or surety company for the release of a defendant who has been charged for an offense committed in Leon County and who will be tried in a court in Leon County, unless the surety is duly licensed under the authority of the Board.
- B. Individual cash bonds are allowed to be posted.
- C. Individual property bonds are not allowed to be posted.