

## 1 HOUSE BILL NO. 729

2 INTRODUCED BY N. NICOL

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING SURETY BAIL BOND INSURANCE LAWS TO  
5 REQUIRE THE PRODUCER TO COLLECT A MINIMUM OF 10% OF THE GUARANTEED AMOUNT OF THE  
6 SURETY APPEARANCE BOND; PROVIDING FOR THE COLLECTION OF A MINIMUM PREMIUM IN FULL  
7 AND FOR A RECEIPT TO BE PROVIDED; AND AMENDING SECTION 33-26-106, MCA."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 **Section 1.** Section 33-26-106, MCA, is amended to read:

12 **"33-26-106. Cost of surety bond to be allowed in account of officer -- payment of premium and**  
13 **notice.** (1) Any court or officer whose duty it is to pass ~~upon~~on the account of any person or corporation  
14 required by law to give a bond may, whenever ~~such~~the person or corporation has given ~~any such a~~ surety  
15 company as surety ~~upon such on the~~ bond, allow in the settlement of ~~such~~the account a reasonable sum for  
16 the expense of procuring ~~such~~the surety.

17 (2) (a) A surety bail bond insurance producer who provides surety appearance bonds shall collect  
18 a minimum premium of 10% of the guaranteed amount of the surety appearance bond.

19 (b) A surety bail bond producer may not require additional fees to be collected after the payment of  
20 the minimum premium unless the bail bond producer specifically discloses the additional fees and a fee  
21 schedule in the contract.

22 (c) The premium must be collected in full, and a receipt must be provided with the surety  
23 appearance bond and power in accordance with 46-9-401."

24 - END -