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HOUSE BILL NO. 729

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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 uponon the account of any person or corporation
14 required by law to give a bond may, whenever suchthe person or corporation has given anysucha surety
15 company as surety uponsuchon the bond, allow in the settlement of suchthe account a reasonable sum for
16 the expense of procuring suchthe 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."

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