

ALABAMA PROFESSIONAL BAIL BONDING BOARD
ADMINISTRATIVE CODE

CHAPTER 153-X-2
DEFINITIONS

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153-X-2-.01 Definitions

153-X-2-.01 Definitions. For the purpose of these rules the definitions, terms, and words set forth below at 153-X-2-.01(1) - 153-X-.01(21) shall apply and shall have the following meanings given:

(1) "Board" shall mean the Alabama Professional Bail Bonding Board.

(2) "Director" shall mean the Executive Director of the Alabama Professional Bail Bonding Board.

(3) "Company" shall mean a professional bail bond company or professional surety company in the State of Alabama, as defined by the Alabama Bail Bond Regulatory Act, Chapter 13 of Title 15, Code of Ala. 1975.

(4) "Bail bondsman" shall mean a professional bail bondsman or professional surety bondsman as defined by the Alabama Bail Bond Regulatory Act, Chapter 13 of Title 15, Code of Ala. 1975.

(5) "Premium" shall mean the money paid to a professional bail bond company, professional surety company, professional bail bondsman, or professional surety for release of an arrestee.

(6) "Arrestee" shall mean any person in custody, who has been detained or who is subject to detention in custody whose release may lawfully be affected by bail.

(7) "Licensee" shall mean a professional bail bond company, professional surety company, professional bail bondsman, professional surety, or recovery agent to whom a

license has been granted by the Alabama Professional Bail Bonding Board.

(8) "Bail bond" shall mean a bond for a specified monetary amount executed by the defendant or principal and a qualified licensee which is issued to a court, magistrate, or authorized officer as security for the defendant's subsequent court related appearance(s) following the defendant's release from actual custody pending his court related appearance(s).

(9) "Jail" shall mean any police station, sheriff's office, or other place where detained persons are in the custody of law enforcement officials or the Department of Corrections.

(10) "Principal" shall mean the person(s) paying the bail bond premium and/or giving the collateral.

(11) "Surety" shall mean the person/company responsible for the appearance of the defendant in court.

(12) "Recovery Agent" shall mean any individual, other than an attorney or law enforcement officer, utilized by a professional bail bond company, professional surety company, professional bail bondsman, or professional surety to apprehend a defendant who was released on bail and who violated the terms of his or her bail.

(13) "Bail Enforcement Agent/Bounty Hunter" shall mean a person who is offered or given any compensation by a company or bail bondsman in exchange for assisting the company or bail bondsman in apprehending or surrendering any defendant. This does not preclude the right of a company or bail bondsman to hire legal counsel and/or to ask assistance of law enforcement officers.

(14) "Direct Supervision" shall mean any person in the physical presence of and acting pursuant to instructions from a licensed professional bail bondsman, licensed professional surety, or licensed recovery agent.

(15) "Collateral" shall mean any money or thing of value that is held by a professional bail bond company, professional surety company, professional bail bondsman, professional surety to secure a bond, other than the premium.

(16) "Client" shall mean any person who contracts with a professional bail bond company, professional surety company,

professional bail bondsman, professional surety for the release of an arrestee.

(17) "Contract" shall mean a negotiated written agreement between a client and/or an arrestee and a professional bail bond company, professional surety company, professional bail bondsman, professional surety along with all conditions of an executed and accepted bond.

(18) "Employee" shall mean any individual who engages in the performance of any duties of or for a professional bail company or professional surety company, including but not limited to, clerical, stenographic, investigative and/or administrative duties and/or any other work and/or responsibilities under the contract of hire, express or implied, oral or written where the professional bail bond employer and/or professional surety company employer has the authority or right to control and/or direct said employee in how the duties, work and/or responsibilities are carried out and/or performed. An "Employee" shall include any individual working as an "Apprentice". No person whose bail bondsman license has been revoked may be employed in any capacity. An "Employee" shall include any individual who has ~~no~~ communication or interaction with potential or actual customers.

(19) "Apprentice" shall mean any person working directly for and under the direct supervision of a full-licensed professional bail bondsman, professional surety or recovery agent, who is engaged in the bail bond or professional surety business, and who has been granted an apprentice license from the Board.

(20) "Current License" shall mean a license that is in good standing. A license is not a current license if it is inactive and/or has lapsed, expired and/or has been suspended and/or revoked.

(21) "General Surety Agency" shall mean a surety approved by the Department of Insurance as a financial backer that provides monetary support to the company for bail bonds.

Author: Alabama Professional Bail Bonding Board

Statutory Authority: Code of Ala. 1975, §§15-13-201.

History: New Rule: Published June 30, 2020; effective August 14, 2020; operative upon approval by Joint Committee on November 10, 2020. **Amended:** Filed June 21, 2022; **Amended:** Filed September 20, 2022; Effective November 14, 2022.