



ALABAMA PROFESSIONAL BAIL BONDING BOARD

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MINUTES Board Meeting February 7, 2025

The Alabama Professional Bail Bonding Board met on Friday, February 7, 2025, at the Board's office located at 2777 Zelda Road, Montgomery, Alabama. The following Board members were in attendance: Mr. Jimmie Lay (Board Chair), Ms. Carla Woodall (Board Secretary), Mr. Chris McNeil (member), Mr. Gustavus Maxie (member), Ms. Jennifer Collard (member), Ms. Alexis Wooden (member), Mr. Barry Johnson (member) and Mr. John Vaughn (member). One vacancy existed on the Board. Others present at the meeting were Mr. Keith Warren (Executive Director), Ms. Tara Hetzel (Assistant Attorney General-Board Legal Counsel), Ms. Brenda Holden (Licensing Specialist), Mr. Brannon Littleton (Chief Financial Officer), Ms. Karen Entriken (Investigator attending virtually), Ms. Karen Harlow (Legal Assistant) and Ms. Renee' Reames (recording secretary) and guest.

Mr. Jimmie Lay, Board Chairman, called the meeting to order at 10:07 a.m. Mr. Warren called the Board member roll and reported that a quorum was present to conduct Board business. An opening prayer was given at the beginning of the meeting. Chairman Lay reported that the meeting was open to the public and the meeting would be conducted under Roberts Rules of Order. Chairman Lay did not vote on matters before the Board except in cases of a tie. Chairman Lay welcomed everyone attending the meeting.

Public notice of this regularly scheduled meeting was submitted to the Secretary of State www.sos.alabama.gov in accordance with the requirements of the Alabama Open Meetings Act and published on the Board's web site at www.apbb.alabama.gov.

APPROVAL OF AGENDA

Chairman Lay presented a copy of the February 7, 2025 meeting agenda for the Board's approval. A copy of the agenda was provided to the Board members prior to the meeting for their review.

MOTION: Mr. McNeil made a motion to approve the February 7, 2025 meeting agenda. The motion was seconded by Mr. Vaughn and unanimously approved by the Board (agenda available for viewing in the Board's official Book of Minutes).

APPROVAL OF MINUTES

Chairman Lay presented a copy of the November 1, 2024 regular meeting minutes for the Board's approval.

MOTION: Mr. Vaughn made a motion to dispense with the reading of the minutes and approve the November regular meeting minutes as presented. The motion was seconded by Mr. McNeil and unanimously approved by the Board (minutes available for viewing in the Board's official Book of Minutes).

REPORTS

Board Chairman Report:

Chairman Lay reported that Judge Cheriogotis had resigned from the Board and was running for office as Mayor of the City of Mobile.

Chairman Lay called for nominations for the vacant position of Board Vice President.

NOMINATION: Mr. McNeil nominated Ms. Jennifer Collard, and the nomination was seconded by Mr. Johnson. There were no other nominations from the floor and Ms. Collard was elected as Board Vice Chair by unanimous vote of the Board.

Chairman Lay nominated Mr. McNeil to serve on the Board's Investigative Committee.

MOTION: Ms. Collard made the motion to accept the nomination of Mr. McNeil to serve on the Investigative Committee. The motion was seconded by Mr. Johnson and unanimously approved by the Board.

Chairman Lay reported that the PBUS mid-year annual meeting was scheduled in February and held in Las Vegas, Nevada. Mr. Warren asked that the members notify him about their plans to attend the PBUS meeting and submit to him estimated expenses for the pre-approval process, in accordance with the State Comptroller's procedures. During the meeting, six members indicated interest in attending.

MOTION: Mr. McNeil made the motion to authorize reimbursement of expenditures up to \$3,000 per person to attend the PBUS meeting. The motion was seconded by Mr. Vaughn and unanimously approved by the Board.

Mr. Warren inquired about additional out-of-state travel planned in FY 2025 for budgetary purposes and none were reported.

Executive Director Report:

Mr. Warren reported on the current number of licenses (#671), along with apprentice licenses (#31) as of January 31, 2025. Mr. Warren reported that a background history was being obtained through public records for each apprentice applicant and the Investigative Committee was reviewing those apprentice applications with criminal histories. He reviewed the status of complaints received in the current fiscal year 2025, along with prior fiscal years 2023 and 2024 (report available in the Board's official Book of Minutes). He reported that selection of a cellular provider based on coverage was being reviewed to issue a cell phone to Ms. Holden. Mr. Warren also reported on discussions with Tyler Technologies to link the Board's statute and rules from the Alabama Legislature website to the Board's website, along with linking the board-approved proposed rules published in the *Alabama Administrative Monthly* and including the licensure status and license initial issue date, linked from the Board's licensee database, when utilizing the licensee search on the Board's website. He presented an estimate of the cost for Tyler Technologies to perform these services and reported an estimated \$15,000 one-time implementation cost concerning the website and a \$3,000 annual hosting and maintenance fee. He explained that staff would be trained to upload documents to the website, which would be a cost savings to the Board, and he would follow-up with Tyler Technologies regarding licensing cards being sent to licensees in a timely manner.

Mr. Warren presented a list of licenses that had expired as of October 31, 2024. He indicated that the licensee and employer would be notified in writing of expired license and the licensee would not be eligible to write bonds with an expired license. He also reported that the director of the Alabama Court System would be notified and provided a list of expired licenses to distribute to the courts.

Financial Report

Mr. Littleton presented the financial activities of the Board for the period of October 1, 2024 through January 31, 2025 (report available in the Board's official Book of Minutes). He reviewed the cash flow analysis indicating cash receipts and expenditures by budget categories. A list of deposits and expenditures was provided, along with encumbered expenses not yet paid. The Board asked Mr. Warren to inquire about the court reporter mileage to be reimbursed at the local rate. Mr. Littleton presented the total amount of

expenditures during the reported period as compared to budgeted amount, with an estimate of expenses for the remainder of the fiscal year. He explained that projected expenses for the remainder of the year were based on prior year expenditures and a positive year-end cash balance was projected.

MOTION: Ms. Woodall made the motion to accept the financial report as presented. The motion was seconded by Mr. McNeil and unanimously approved by the Board.

Legal Counsel Report:

Ms. Hetzel presented the Investigative Committee (IC) recommendations and she indicated that members who served on the IC would be recused from voting.

- Applicant DG renewal of license: \$500 fine for failing to report August 25, 2024 arrest in timely manner and failed to report arrest on renewal application. The respondent's license expired 10/31/24.

MOTION: Ms. Woodall made the motion to deny the renewal of license pending payment of \$500 fine due for not reporting arrest, and license denied if convicted in pending case, and granted license if case dismissed or found not guilty, and if pending, the matter would be brought before the Board again. The motion was seconded by Ms. Wooden and unanimously approved by the Board with Chairman Lay and Mr. Johnson recusing to vote.

Upon further conversation, the motion was amended.

MOTION: Ms. Woodall amended the motion to assess a \$500 fine for not reporting arrest and deny the renewal application due to false information on the application. The motion was seconded by Ms. Wooden and unanimously approved by the Board with Chairman Lay and Mr. Johnson recusing to vote.

- Case founded: 2024-056BR. The respondent's license expired 10/31/2024 and arrest incidents occurred while licensed.

MOTION: Ms. Johnson made the motion to accept the IC recommendations to assess a \$500 fine for not reporting arrest during the required time period and a \$500 fine for not responding to request for information within requested time period. The motion was seconded by Ms. Woodall and unanimously approved by the Board with Chairman Lay and Ms. Collard recusing to vote.

- Cases closed due to no jurisdiction: 2024-057 and 2024-058.

MOTION: Mr. McNeil made the motion to accept the IC recommendations to close the cases. The motion was seconded by Mr. Johnson and unanimously approved by the Board with Chairman Lay recusing to vote.

- Cases closed as unfounded: 2024-055.01; 2024-055.02, 2024-055.03, 2025-003 and 2025-006.

MOTION: Ms. Woodall made the motion to accept the IC recommendations to close the cases. The motion was seconded by Mr. McNeil and unanimously approved by the Board with Chairman Lay and Mr. Johnson recusing to vote.

- Case closed as unfounded: 2025-002.

MOTION: Ms. Woodall made the motion to accept the IC recommendations to close the case. The motion was seconded by Mr. McNeil and unanimously approved by the Board with Chairman Lay and Ms. Collard recusing to vote.

- Case administratively closed: 2023-044. The respondent's license expired 10/31/2023 and had been flagged for review if applied for licensure.

MOTION: Mr. Johnson made the motion to accept the IC recommendations to administratively close the case. The motion was seconded by Mr. Maxie and unanimously approved by the Board with Mr. McNeil recusing to vote.

- Ratification of settlement agreement in case 2023-003 and respondent was in compliance.
MOTION: Ms. Woodall made the motion to ratify the settlement agreement in the case. The motion was seconded by Mr. McNeil and unanimously approved by the Board with Mr. McNeil recusing to vote.

- Ratification of settlement agreement in case 2025-001BR, and in lieu of a hearing, respondent had voluntarily surrendered his license.
MOTION: Ms. Collard made the motion to ratify the settlement agreement in the case and the voluntary surrender of license. The motion was seconded by Mr. Wooden and unanimously approved by the Board with Mr. McNeil and Ms. Woodall recusing to vote.

- Ratification of IC action concerning new applications under special review due to criminal background history:
 - EB bail bonding application denied.
 - KB bail bonding application denied.
 - DB bail bonding application denied.
 - BB apprentice application denied.
 - JC bail bonding application approved.
 - AD bail bonding application denied.
 - CF bail bonding application approved.
 - MH bail bonding application denied.
 - TR bail bonding application denied.
 - JV bail bonding application approved.
 - RW apprentice application denied.
 MOTION: Ms. Woodall made the motion to ratify the IC licensure recommendations. The motion was seconded by Mr. McNeil and unanimously approved by the Board with Mr. Vaughn recusing to vote.

Scam Awareness Committee:

Ms. Wooden reported on discussions with the Scam Awareness Committee members and they were working on the public education brochure about bail scams, and Ms. Wooden reported that she would provide the information to Ms. Hetzel to assist through the Attorney General's office concerning scams.

OLD BUSINESS

Public Hearing for Final Rule 153-X-9-.01 Fees:

Mr. Warren presented proposed Rule 153-X-9-.01 Fees for the Board's approval as a Final Rule. He reported that no public comments had been received.

MOTION: Mr. McNeil made the motion to approve amended Rule 153-X-9-.01 Fees as a Final Rule. The motion was seconded by Ms. Collard and unanimously approved by the Board.

Proposed Revised Rule 153-X-4-.02 Renewal Application Deadline:

Mr. Warren presented proposed changes to Rule 153-X-4-.02 Renewal Application Deadlines for the Board's approval. Mr. Warren reported that the proposed Rule did not reference fingerprints. The Board mentioned corrections to typographical error \$125.99.

MOTION: Ms. Woodall made the motion to approve amended Rule 153-X-4-.02 Renewal Application Deadlines. The motion was seconded by Mr. McNeil and unanimously approved by the Board.

Proposed New Rule Military Family Jobs Opportunity Act Applicants:

Mr. Warren reported that he had incorporated the two proposed military rules discussed at the last Board meeting and presented the new rule Military Family Jobs Opportunity Act Applicants for the Board's approval. He explained that the rule allowed licensure to be expedited through an apprentice license.

MOTION: Mr. McNeil made the motion to approve the new rule Military Family Jobs Opportunity Act Applicants. The motion was seconded by Mr. Johnson and unanimously approved by the Board.

Proposed New Rule 153-X-12 Records:

Mr. Warren presented new Rule 153-X-12 Records concerning public records for the Board's approval. He reported that under State Law, public records requests were applicable to residence of Alabama and a fee had been included in the proposed Rule.

MOTION: Ms. Woodall made the motion to approve the new Rule 153-X-12 Records as presented. The motion was seconded by Mr. Johnson and unanimously approved by the Board.

Discussion of Continuing Education Exemption:

The Board reviewed statute 15-13-217(i) which allowed individuals 65 years old prior to August 1, 2021, to be exempt from continuing education requirements compared to Rule 153-X-4-.05 (1)(c). The Board agreed that the law did not allow an individual to age into the exemption and was applicable to only those who were 65 years of age as of August 1, 2021.

Update on State Personnel Policy regarding Employee Salary: Ms. Hetzel reported that she would have an update for the Board at the next Board meeting concerning salary of Board personnel.

NEW BUSINESS

Proposed Legislative Changes to Statute:

Mr. McNeil reported on proposed changes to the Criminal Procedure laws pertaining to the Alabama Bail Reform Act of 1996 (Article 6 of Chapter 13 Bail), as well as §13A-10-40 and §12-19-311. A summary of the amended sections of the laws (§15-13-108 through §15-13-160 was reviewed by the Board. Also included were proposed changes to the Board's statute to include (copy available in the Board's official Book of Minutes):

- §15-13-201 - the definition of an employee;
- §15-13-202 - extending the apprentice license expiration date from 120 days to 180 days, adding verification of an apprentice applicants' criminal background history prior to issuance of license and adding continuation education requirements for apprentices, and adding performing all duties without direct supervision, except for bail bonding recovery work which required a licensee with apprentice at all times. The Board recommended the addition of disallowing licensure as an apprentice if previously held a license;
- §15-13-203 – including supernumerary court judges and supernumerary clerks eligible for appointment to the Board, adding one serving sheriff and one lay person eligible for appointment, for an increase in board composition from nine (9) members to eleven (11) board members;
- §15-13-205 – modifying the process for election of officers by eliminating the elections being held when new board member was appointed;
- §15-13-210 – adding renewal notices shall include statement concerning late fee requirements, as established by the Board;
- §15-13-211 – adding licensure requirements of a minimum of one (1) year as a resident of the State;
- §15-13-217 – adding authorization to charge a fee for late renewal of a professional bail company or professional surety company license.

Staff members, Ms. Holden, Ms. Harlow and Ms. Entriiken, left the meeting at 12:10 p.m.

OTHER BUSINESS AND ANNOUNCEMENTS

Next Board Meeting:

Chairman Lay reminded the members that the next Board meeting was scheduled May 2, 2025. The Board agreed to change the meeting date to April 25, 2024 due to conflicts in scheduling.

Other:

Mr. Warren reported that State Personnel requirements indicated that re-employment of a retired State personnel who was receiving State retirement funds could be hired at a maximum hourly rate equal to the hourly salary at time of retirement.

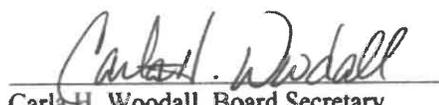
ADJOURNMENT

There was no further business of the Board, the Board members submitted travel expense reports for reimbursement. Mr. McNeil made the motion to adjourn the meeting. The motion was seconded by Ms. Collard and Chairman Lay adjourned the meeting at 12:13 p.m.

Respectfully Submitted,



Jimmie Lay, Board Chairman



Carla H. Woodall, Board Secretary

rr  Date Approved: April 25, 2025