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INSURANCE CODE - INS

DIVISION 1. GENERAL RULES GOVERNING INSURANCE [100 - 1879.8] (Division 1 enacted by Stats. 1935, Ch. 145.)

PART 2. THE BUSINESS OF INSURANCE [680 - 1879.8] (Part 2 enacted by Stats. 1935, Ch. 145.)

CHAPTER 7. Bail Licenses [1800 - 1823] (Chapter 7 added by Stats. 1937, Ch. 654.)

ARTICLE 1. Qualification and Licensing [1800 - 1823] (Article 1 added by Stats. 1937, Ch. 654.)

1800. (a) An insurer shall not execute an undertaking of bail except by and through a person holding a bail license issued as provided in this chapter. A person shall not in this state solicit or negotiate in respect to execution or delivery of an undertaking of bail or bail bond by an insurer, or execute or deliver such an undertaking of bail or bail bond unless licensed as provided in this chapter, but if so licensed, such person may so solicit, negotiate, and effect such undertakings or bail bonds without holding or being named in any license specified in Chapter 5 of this part.

(b) (1) A person shall not perform in this state the activities of a bail fugitive recovery agent, as defined in subdivision (d) of Section 1299.01 of the Penal Code, or solicit or negotiate to perform the activities of a bail fugitive recovery agent, as defined in subdivision (d) of Section 1299.01 of the Penal Code, unless licensed pursuant to this chapter.

(2) Any person, persons, or entity, including licensed bail agents and surety insurers, that hire, contract, solicit, or appoint another person or persons to act as a bail fugitive recovery agent shall ensure that the hired person or persons are duly licensed by the department as a bail fugitive recovery agent under paragraph (4) of subdivision (a) of Section 1801.

(c) For purposes of this section, "solicit" shall include any written or printed presentation or advertising made by mail or other publication, or any oral presentation or advertising by means of telephone, radio, or television which implies that an individual is licensed under this chapter, and any activity in arranging for bail which results in remuneration to the individual conducting that activity.

(d) This section shall become operative on July 1, 2023.

(Repealed (in Sec. 1) and added by Stats. 2022, Ch. 768, Sec. 2. (AB 2043) Effective January 1, 2023. Operative July 1, 2023, by its own provisions.)

1800.4. As used in this chapter, the term "bail bond" includes any contract not executed by a surety insurer for or method of release of person arrested or confined on account of any actual or alleged violation of the provisions of any law of this or any other State or of any municipality in the State of California, including any release by means of cash or other property deposited in lieu of bail under the provisions of sections 1295 and 1298 of the Penal Code whereby the attendance in court when required by law and obedience to orders and judgment of any court by the person released is guaranteed.

(Added by Stats. 1939, Ch. 361.)

1800.5. This chapter shall not affect the negotiation through a licensed broker or agent for, nor the execution or delivery of an undertaking of bail, executed by an insurer for its insured under a policy of automobile insurance or of liability insurance upon the automobile of the insured, nor shall this chapter affect the negotiation for, or the execution or delivery of an undertaking of bail or bail bond which is authorized by Part 5, Division 2 of this code.

(Added by Stats. 1939, Ch. 361.)

1800.6. This chapter shall not limit the power of any city or county to enact other and further regulations concerning, and not in conflict with, the provisions of this chapter.

(Amended by Stats. 1963, Ch. 1286.)

1800.7. Any individual person may execute or furnish a bail bond if no consideration is paid or allowed, directly or indirectly, by any person for the execution or furnishing thereof, provided such person does not in connection with such execution or furnishing violate Section 1800.75.

(Amended by Stats. 1963, Ch. 1286.)

1800.75. No person shall advertise or hold himself out as engaging in the business of executing, delivering, or furnishing bail bonds or undertakings of bail whether or not for consideration without holding at the time thereof all proper licenses required by this chapter.

(Added by Stats. 1963, Ch. 1286.)

1800.8. The permits required by this chapter are in addition to any and all other permits or licenses required by law.

(Added by Stats. 1939, Ch. 361.)

1801. (a) Bail licenses are:

- (1) Bail agents' licenses.
- (2) Bail permittees' licenses.
- (3) Bail solicitors' licenses.
- (4) Bail fugitive recovery agent licenses.

(b) This section shall become operative on July 1, 2023.

(Repealed (in Sec. 3) and added by Stats. 2022, Ch. 768, Sec. 4. (AB 2043) Effective January 1, 2023. Operative July 1, 2023, by its own provisions.)

1802. (a) A bail agent's license by its terms permits the licensee to solicit, negotiate, and effect undertakings of bail on behalf of any surety insurer while there is in effect an unrevoked notice of appointment of such insurer filed pursuant to Section 1802.1. Such license shall not be issued unless and until there is filed with the commissioner a bond having an admitted surety insurer as surety thereon in the penal sum of one thousand dollars (\$1,000), conditioned upon the proper application and disposal of all moneys collected or received by the bail agent, the bail agent's solicitors licensed pursuant to the bail agent's appointment, and the bail agent's employees, in favor of the people of the State of California.

(b) A bail fugitive recovery agent shall file all of the following with the commissioner:

(1) A bond having an admitted surety insurer as surety thereon in the penal sum of one thousand dollars (\$1,000). The surety bond required by this section shall allow persons to recover for actionable injuries, loss, or damage resulting from the willful or wrongful acts or omissions of the licensee and protects this state, its agents, officers, and employees from judgments against the licensee, and is further conditioned upon the faithful and honest conduct of the licensee.

(2) (A) A policy of liability insurance that provides minimum limits of insurance of one million dollars (\$1,000,000) for any one loss or occurrence due to either bodily injury or death, or property damage, or both.

(B) The commissioner shall delay the implementation of subparagraph (A) if there is either a reasonable lack of availability or affordability, or both, of liability insurance for bail fugitive recovery agents.

(c) Bail agents, bail permittees, and bail solicitors who apply for a bail fugitive recovery agent license are exempt from subdivision (b) if they have a current surety bond and liability insurance policy on file with the commissioner.

(d) This section shall become operative on July 1, 2023.

(Repealed (in Sec. 5) and added by Stats. 2022, Ch. 768, Sec. 6. (AB 2043) Effective January 1, 2023. Operative July 1, 2023, by its own provisions.)

1802.1. (a) Every applicant for a license to act as a bail agent shall file with the commissioner a notice of appointment executed by a surety insurer or its authorized representative authorizing that applicant to execute undertakings of bail and to solicit and negotiate those undertakings on its behalf. Additional notices of appointment may be filed by other surety insurers, upon the payment for each additional notice of the fee specified in subdivision (a) of Section 1811, before the license is issued and thereafter, as long as the license remains in force. Each appointment shall, by its terms, continue in force until any of the following occur:

- (1) Termination of the bail agent's license.

(2) The end of the license term, if the fee provided in subdivision (f) of Section 1811 for filing a renewal application is not paid.

(3) The filing of a notice of termination by the insurer, its representative, or by the bail agent.

(b) Every applicant for a license to act as a bail fugitive recovery agent shall file with the commissioner a notice of appointment executed by a bail agent or surety insurer authorizing that applicant to act on behalf of, and pursuant to, the instructions of the appointing licenseholder. Additional notices of appointment may be filed by other bail agents or surety insurers upon the payment for each additional notice of the fee specified in subdivision (a) of Section 1811, before the license is issued and thereafter, as long as the license remains in force. Each appointment shall, by its terms, continue in force until any of the following occur:

(1) Termination of the bail fugitive recovery agent's license.

(2) The end of the license term, if the fee provided in subdivision (f) of Section 1811 for filing a renewal application is not paid.

(3) The filing of a notice of termination by the bail agent, the surety insurer, or the bail fugitive recovery agent.

(c) Bail agents and bail permittees who apply for a bail fugitive recovery agent license are exempt from subdivision (b) if the bail agent or bail permittee has one or more surety appointments on file with the commissioner and the surety or sureties providing the appointments have authorized the bail agent or bail permittee to work under their authority as a bail fugitive recovery agent.

(d) This section shall become operative on July 1, 2023.

(Repealed (in Sec. 7) and added by Stats. 2022, Ch. 768, Sec. 8. (AB 2043) Effective January 1, 2023. Operative July 1, 2023, by its own provisions.)

1802.2. Any bail licensee who has purchased or succeeded to the bona fide business of another bail licensee shall be entitled to use a true or fictitious name used by his predecessor if the predecessor has conducted the business for a period of two consecutive years or more.

(Added by Stats. 1984, Ch. 1063, Sec. 1.)

1802.3. (a) A bail fugitive recovery agent's license, by its terms, permits the licensee to engage in the activities of a bail fugitive recovery agent as set forth in subdivision (d) of Section 1299.01 of the Penal Code.

(b) A bail fugitive recovery agent licensee shall comply with the Bail Fugitive Recovery Persons Act (commencing with Section 1299) of the Penal Code.

(c) Notwithstanding subdivision (b) of Section 1810, only natural persons may be licensed as bail fugitive recovery agents.

(d) A bail fugitive recovery agent shall disclose on their license application and renewal to the department whether they are also a bail agent, permittee, or solicitor, and shall carry identification cards issued by the commissioner pursuant to Section 2077.1 of Chapter 5 of Title 10 of the California Code of Regulations.

(e) All bail licensees shall not have been convicted of a felony unless the person is licensed pursuant to Section 1800.

(f) This section shall become operative on July 1, 2023.

(Added by Stats. 2022, Ch. 768, Sec. 9. (AB 2043) Effective January 1, 2023. Operative July 1, 2023, by its own provisions.)

1802.5. A bail permittee's license, by its terms, permits the licensee to solicit, negotiate, issue, and deliver bail bonds. The license shall not be issued unless and until there is filed with the commissioner

a bond having an admitted surety insurer as surety thereon in the penal sum of five thousand dollars (\$5,000), conditioned upon the proper application and disposal of all moneys collected or received by the bail permittee, his or her solicitors licensed pursuant to his or her appointment, and his or her employees, in favor of the people of the State of California.

(Amended by Stats. 2006, Ch. 538, Sec. 459. Effective January 1, 2007.)

1802.6. The holder of a bail permittee's license may, upon filing of proper documents specified in Section 1802.1, receive a bail agent's license without procuring the additional bond specified in Section 1802.

(Amended by Stats. 1972, Ch. 618.)

1802.7. Any applicant may deposit with the commissioner, in lieu of a bond required by this chapter, securities of the kind and character set forth in sections 1170 to 1175, and 1179 to 1240, in a sum not less than the required amount of the penal sum of said bond. Such securities shall be held in trust by the commissioner for the fulfillment of the same terms and conditions as in the case of a bond required by section 1802.5.

(Added by Stats. 1939, Ch. 361.)

1802.71. The holder, or former holder of a bail license, who has deposited with the commissioner securities in lieu of a bond as provided by Section 1802.7, may at any time substitute therefor a bond complying with the requirements of Section 1802, 1802.5, or 1803, as the case may be. Such a bond must embrace all liability theretofore existing or which may thereafter be incurred for the fulfillment of which the securities have been held, whether reported or unreported.

The substitution of such a bond for securities shall be conditioned upon the approval of the commissioner. Upon receiving such approval and the filing of the bond, the applicant shall be permitted to withdraw the securities theretofore deposited on his behalf.

(Amended by Stats. 1959, Ch. 599.)

1802.72. The former holder of any bail license, who has surrendered any and all licenses to the commissioner, and who has on deposit with the commissioner securities in lieu of bond as provided by Section 1802.7, may, not sooner than three years after the surrender of his last bail license apply to the commissioner for the return of the securities.

(Added by Stats. 1957, Ch. 2048.)

1802.73. The application shall be in writing, verified, and shall state:

- (a) The nature of all bail licenses held by the applicant and the period during which the applicant was authorized to transact bail business under each;
- (b) All of the counties in which the applicant transacted bail under the authority of each license;
- (c) That all bail transacted by applicant, and his solicitors and employees, if any, has been exonerated by order of court, and that his liability as surety on all bail transactions has been discharged;
- (d) The date upon which the last liability of the applicant on a bail transaction was fully exonerated and discharged;
- (e) That all moneys collected or received by the applicant, and his solicitors and employees, if any, have been paid to the person or persons entitled thereto and have in all respects been fully and properly accounted for.

(Added by Stats. 1957, Ch. 2048.)

1802.74. The commissioner shall publish daily for one week in a newspaper of general circulation in each county in which the applicant transacted bail under any license, a notice of the application to withdraw the securities deposited with the commissioner in lieu of bond. The expense of the publication shall be borne by the applicant and the commissioner may require the applicant to pay it in advance.

(Added by Stats. 1957, Ch. 2048.)

1802.75. The commissioner shall make an examination of the books and records of the applicant. The costs and expenses of the examination shall be paid by the commissioner out of funds appropriated for support of the Department of Insurance.

(Added by Stats. 1957, Ch. 2048.)

1802.76. Upon failure of the applicant to pay the expense of publication of notice within 30 days after the presentation of the bill therefor, the commissioner shall collect the costs out of the deposited securities.

(Added by Stats. 1957, Ch. 2048.)

1802.77. If the commissioner is satisfied from the application and the examination of the books and records of the applicant that the applicant has, in fact, complied with the representations made in his application, the commissioner shall deliver to the applicant the securities deposited; provided, however, the commissioner shall not deliver the securities to the applicant prior to the expiration of three years after the latest date on which a bond was issued or written by the applicant.

(Added by Stats. 1957, Ch. 2048.)

1803. A bail solicitor's license, by its terms, permits the licensee to transact bail on behalf of and as the employee of the holder of the bail licenses therein designated while there is in effect and on file with the commissioner an unrevoked appointment of the solicitor by such license holder. In all matters respecting the transaction of bail, it shall be conclusively presumed that such solicitor acted on behalf of and pursuant to the instructions of the appointing license holder. A bail solicitor's license shall not be issued until there is filed with the commissioner an appointment of such solicitor, effective upon issue of the license executed by the holder of a bail agent's license or bail permittee's license, or both such licenses. Such appointment shall state that the license holder appoints the solicitor and will employ him in the transaction of bail, until notice is filed with the commissioner revoking the appointment. Such appointment and license shall permit the bail solicitor to transact only the undertakings of bail or bail bonds which the license or licenses of the appointing license holder permits such license holder to transact.

Before the issuance of a bail solicitor's license, the applicant shall file a bond in the penal sum of one thousand dollars (\$1,000) conditioned upon the proper application and disposal of all moneys collected or received by the solicitor, in favor of the people of the State of California.

(Amended by Stats. 1953, Ch. 55.)

1804. An applicant for bail license shall file with the commissioner an application in such form and having such supporting documents as the commissioner prescribes, except that the application shall be verified in the manner provided for verification of complaints in civil cases. The commissioner shall investigate the licensees in such manner and in respect to such matters as he deems advisable.

(Added by Stats. 1937, Ch. 654.)

1805. The commissioner may decline to issue a bail license until he is satisfied that:

- (a) The applicant is of good business reputation and of good general reputation.
- (b) That the applicant has never been refused a license or had a license revoked by any public authority for reasons which indicated lack of honesty or integrity, or which show improper business practice on the part of the applicant.
- (c) That the applicant has an understanding of the obligations and duties of bail.
- (d) That the applicant has not participated in or been connected with any business transaction which, in the opinion of the commissioner tends to show unfitness to act in a fiduciary capacity or to maintain the standards of fairness and honesty required of a trustee or other fiduciary.
- (e) That the applicant has not willfully misstated any material fact in his application or procured a misstatement in the supporting documents thereof.
- (f) That there is no outstanding judgment against the applicant of conviction of a misdemeanor or felony denounced by this code, or one of the elements of which involves a misappropriation of money or property.
- (g) That the applicant has not committed an act forbidden by this code.
- (h) That the applicant is a fit and proper person to hold the license applied for.
- (i) The applicant has been a continuous resident of the State of California for at least two years.

(Amended by Stats. 1965, Ch. 228.)

1806. The commissioner may suspend, revoke or refuse to issue any license under this chapter whenever it is made to appear to him that the holder of such permit is not a fit or proper person to be permitted to continue to hold or receive such license.

(Added by Stats. 1937, Ch. 654.)

1807. The commissioner may suspend or revoke any bail license for any cause for which he could deny such license.

(Added by Stats. 1937, Ch. 654.)

1807.5. Except as provided in Sections 1669 and 1738, the commissioner shall not deny, suspend, or revoke any license, issued under this article, without first granting a hearing, upon reasonable notice to the applicant or licensee, except that he may temporarily suspend a license for a period not exceeding 15 days pending the hearing. Where a hearing is held under this section the proceedings shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the commissioner shall have all the powers granted pursuant to that chapter.

(Amended by Stats. 2016, Ch. 304, Sec. 10. (AB 2884) Effective January 1, 2017.)

1807.7. Commencing on January 1, 2011, all licenses issued pursuant to this article shall be for a license term of two years.

(Amended by Stats. 2010, Ch. 400, Sec. 20. (AB 2782) Effective January 1, 2011.)

1807.8. "License term" as used in this chapter means all of that two-year period beginning as described in subdivision (a) or (b) of Section 1807.9, as applicable, and ending on the day two years after the last calendar day of the month in which the initial license was issued. Licenses issued prior to January 1, 2011, shall expire on June 30 of each odd-numbered year.

(Added by Stats. 2010, Ch. 400, Sec. 21. (AB 2782) Effective January 1, 2011.)

1807.9. "License year" as used in this chapter shall be determined for each individual and entity as follows:

- (a) Upon initial licensing, the license year starts on the date the license is issued.

(b) Subsequently, each license year starts the first day of the month following the month in which the initial license was issued.

(c) A license year ends the following calendar year on the last calendar day of the month in which the initial license was issued.

(d) A license year for licenses issued prior to January 1, 2011, starts on July 1 and ends on June 30.

(Added by Stats. 2010, Ch. 400, Sec. 22. (AB 2782) Effective January 1, 2011.)

1808. (a) Applications for renewal of licenses may be filed on or before the expiration date upon payment of the fees for filing specified in Section 1811.

(b) Upon failure to file the application as provided in subdivision (a), the license shall expire on the first day of the next month, but the holder may file an application for a new license. Until that same month and day of the next succeeding year the fee shall be twice that specified in Section 1811 for the filing.

(c) No application shall be deemed filed within the meaning of this section unless the document itself has been actually delivered to, and the proper fee for its filing has been paid at, the office of the commissioner during office hours, or unless both the document and the fee have been filed and remitted pursuant to Sections 11002 and 11003 of the Government Code.

(Amended by Stats. 2010, Ch. 400, Sec. 23. (AB 2782) Effective January 1, 2011.)

1809. The provisions of law relating to unlawful rebates shall not apply to commissions or other consideration paid or exchanged between licensees under this chapter, except that in such case the licensee who executes the undertaking or executes or delivers the bail bond shall, in all matters in respect thereto, be deemed the principal and all licensees otherwise connected with the transaction shall be deemed his agents in respect thereto.

(Amended by Stats. 1939, Ch. 361.)

1810. (a) Natural persons can be licensed under this chapter.

(b) A license may be held by a corporation, in which case all of the following requirements shall be met:

(1) The application shall set forth the names of all officers and employees of the licensee who will be authorized to exercise the powers of the licensee under this chapter. Each of those persons shall be required to meet the requirements for licensure under this chapter, and disciplinary action may be taken against any of those persons, and the licensee, if any of those persons does any act that would be grounds for disciplinary action against a licensee.

(2) The corporation may solicit or negotiate the execution or delivery of bail on behalf of surety insurers only through natural persons who hold individual licenses as bail agents.

(3) One hundred percent of the shares of the corporation shall be held by licensed bail agents.

(4) All shareholders, officers, and directors of the corporation shall be licensed bail agents, and shall be disclosed to the department.

(5) Any sale or transfer of stock or other interest in the corporation shall require the prior approval of the department. The department shall approve or disapprove a request for approval within 60 days of receiving the completed request.

(Amended by Stats. 1996, Ch. 628, Sec. 1. Effective January 1, 1997.)

1810.5. The commissioner shall not issue a bail license to any person unless and until the applicant takes and passes an examination given by the commissioner as provided in this chapter. This prohibition shall not apply with respect to persons who were licensed under this chapter during any part of the annual period terminating on the July 1st preceding the time to be covered by the license applied for.

(Amended by Stats. 1949, Ch. 381.)

1810.6. The commissioner shall conduct or arrange for written examination to be given at least twice a year upon questions proposed by the commissioner as to the qualifications of applicants to hold a bail license. The examination shall be of sufficient scope to satisfy the commissioner that the applicants have knowledge of, and are reasonably familiar with, the laws of this State relating to the giving of bail and the execution and delivery of undertakings of bail, and have a general and fair understanding of the obligations and duties of the holder of a bail license in respect to the conduct of business under each type of bail license.

(Added by Stats. 1939, Ch. 361.)

1810.7. (a) In order to be eligible to take the examination required to be licensed under this chapter, the applicant shall have completed the following:

(1) A minimum of 20 hours of classroom education in subjects pertinent to the duties and responsibilities of a bail licensee, including, but not limited to, all related laws and regulations, rights of the accused, ethics, and apprehension of bail fugitives.

(2) (A) A 40-hour power of arrest course certified by the Commission on Peace Officer Standards and Training pursuant to Section 832 of the Penal Code. Completion of the course shall be for educational purposes only and not intended to confer the power of arrest of a peace officer or public officer, or agent of any federal, state, or local government, unless the person is so employed by a governmental agency.

(B) This paragraph shall apply to both of the following:

(i) A bail fugitive recovery agent, as described in paragraph (4) of subdivision (a) of Section 1299.01 of the Penal Code.

(ii) A bail, as described in paragraph (2) of subdivision (a) of Section 1299.01 of the Penal Code, who hires, trains, or designates assignments for bail fugitive recovery agents.

(b) The commissioner shall approve or disapprove an applicant to provide education for licensure as required by this section within 90 days of receipt of the applicant's full and complete application. However, this 90-day period shall be tolled during the pendency of any investigation of the applicant by the commissioner for an alleged violation that would, if proven, result in the suspension, revocation, or denial of the provider's approval to provide continuing education to bail agents as prescribed in Section 1813. Failure to disapprove an applicant within this period shall result in the automatic approval of the application. Approval shall be valid for two years. The commissioner may, at any time, disapprove any provider who is not qualified or whose course outlines are not approved, who is not of good business reputation, or who is lacking in integrity, honesty, or competency. A provider shall not provide education for licensure following the expiration of the two-year approval period unless the commissioner has renewed the provider's approval. The commissioner shall, at the time of renewal, approve or disapprove the course outlines and schedule of classes to be provided.

(c) Providers responsible for providing education for licensure under this chapter shall consult with the California State Sheriffs' Association, the California District Attorneys Association, and the County Counsels' Association of California prior to submission of the course outlines for approval by the commissioner, and these entities may respond within 30 days of receipt of a request for consultation from a provider. Providers shall maintain records of their requests for consultation and any responses from these entities, and make these records available to the department for review as requested. The bail license fee shall be increased, the amount of which shall be determined by the commissioner, which shall be deposited in the Insurance Fund for the purposes of recovering the administrative costs for meeting the conditions and purposes of this section. Providers of education or continuing education shall offer courses to all applicants at the same course fees.

(d) Any person who falsely represents to the commissioner that compliance with this section has been met shall be subject, after notice and hearing, to the penalties and fines set out in Section 1814.

(e) A licensee shall additionally complete in each two-year license term not less than 12 hours of continuing education in the subjects stated in subdivision (a) prior to renewal of the licensee's license.

(f) A licensee shall not be required to comply with the continuing education requirements of this section if the licensee submits proof satisfactory to the commissioner that the licensee has been a licensee in good standing for 30 continuous years in this state and is 70 years of age or older.

(g) The commissioner may make reasonable rules and regulations necessary, advisable, and convenient for the administration and enforcement of this chapter. The rules and regulations may include a schedule establishing fees to be paid by an applicant seeking approval to act as a provider and to deliver courses under this section. Those fees shall be in an amount no greater than fees paid by applicants providing similar courses to other insurance agents licensed by the department, as specified in Section 1751.1.

(h) Nothing in this chapter shall preclude completion of the bail agent or bail fugitive recovery agent continuing education requirements of this section through a course of instruction offered via the internet or correspondence. However, this subdivision shall not be construed to allow completion of the preclicensing education requirements of this section through a course of instruction.

(i) Successful completion of the continuing education requirements by means of an internet or correspondence course shall require obtaining a passing grade of at least 70 percent on a written final examination. The final examination shall be open book and shall be graded by the approved provider. The provider shall issue certificates of completion only to those students who have passed the final examination.

(j) This section shall become operative on July 1, 2023.

(Repealed (in Sec. 10) and added by Stats. 2022, Ch. 768, Sec. 11. (AB 2043) Effective January 1, 2023. Operative July 1, 2023, by its own provisions.)

1810.8. (a) The commissioner may issue a temporary license to the executor or administrator of the estate of a deceased holder of a bail agent's license, bail permittee's license, or bail fugitive recovery agent's license, permitting such party to act as such representative to exercise the rights and privileges of such a licenseholder for the purpose of conducting the business of the estate for a period of one year from and after the date of the death, pending, but not after, the disposal of the business.

(b) This section shall become operative on July 1, 2023.

(Repealed (in Sec. 12) and added by Stats. 2022, Ch. 768, Sec. 13. (AB 2043) Effective January 1, 2023. Operative July 1, 2023, by its own provisions.)

1810.9. A renewal license shall be issued by the commissioner to a licensee upon proof of current licensure, payment of a renewal fee, and completion of the continuing education requirements as required by subdivision (a) of Section 1810.7.

(Added by Stats. 1993, Ch. 515, Sec. 4. Effective January 1, 1994.)

1811. For the commissioner's services in connection with the filing of any application or request for any license under this chapter, the commissioner shall charge and collect the following fees:

(a) For filing an application or request for bail agent's license, three hundred eleven dollars (\$311) per year.

(b) For filing an application or request for bail solicitor's license, three hundred eleven dollars (\$311) per year.

(c) For filing an application or request for bail permittee's license, six hundred twenty-four dollars (\$624).

(d) For filing an application or request for bail fugitive recovery agent's license, three hundred eleven dollars (\$311) per year.

(e) For filing an application for examination, or reexamination, sixty-two dollars (\$62).

(f) For a renewal application, a fee of ninety-four dollars (\$94) per year. In the case of a bail agent with more than one valid notice of appointment on file, the fee to be charged pursuant to this subdivision shall be the fee provided herein multiplied by the number of insurers whose valid appointments are on file on the date the document is filed unless the bail agent in that document advises the commissioner of the agent's intent to terminate the appointment of one or more of those insurers, in which event the fee shall be based upon the number of insurers remaining.

(g) For a bail solicitor's renewal application, a fee of ninety-four dollars (\$94) per year.

(h) For a bail permittee's renewal application, a fee of three hundred ninety-four dollars (\$394) per year.

(i) For a bail fugitive recovery agent's renewal application, a fee of ninety-four dollars (\$94) per year.

(j) At the time of filing an application for a license, if a qualifying examination is required for issue or in connection with the license, the fee for filing the first application to take the qualifying examination shall be paid at the time of filing application for the license.

(k) For filing application or request for approval of a true or fictitious name pursuant to Section 1724.5, thirty-two dollars (\$32), except that there shall be no fee when the name is contained in an original application.

(l) For filing a bond required by this chapter, except when the bond constitutes part of an original application, twenty-eight dollars (\$28).

(m) For filing a first amendment to an application, fifteen dollars (\$15).

(n) For filing a second and each subsequent amendment to an application, thirty-two dollars (\$32).

(o) This section shall become operative on July 1, 2023.

(Repealed (in Sec. 14) and added by Stats. 2022, Ch. 768, Sec. 15. (AB 2043) Effective January 1, 2023. Operative July 1, 2023, by its own provisions.)

1812. The commissioner may make reasonable rules necessary, advisable, or convenient for the administration and enforcement of the provisions of this chapter.

(Added by Stats. 1937, Ch. 654.)

1813. The commissioner, after notice and hearing, in accordance with the procedure provided in Article 13 (commencing with Section 1737) of Chapter 5 may suspend, revoke, or deny any license or certificate of authority issued pursuant to any provision of this code whenever he or she finds that the holder thereof has violated any provisions of this chapter.

(Amended by Stats. 1982, Ch. 454, Sec. 104.)

1814. The violation of any foregoing provision of this chapter, or of any rule of the commissioner made pursuant thereto, is a public offense, punishable by fine not exceeding ten thousand dollars (\$10,000), or by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code, or in the county jail not exceeding one year, or by both that fine and imprisonment.

(Amended by Stats. 2011, Ch. 15, Sec. 211. (AB 109) Effective April 4, 2011. Operative October 1, 2011, by Sec. 636 of Ch. 15, as amended by Stats. 2011, Ch. 39, Sec. 68.)

1815. (a) The commissioner shall publish and maintain a list of the names of holders of bail agents' and bail permittees' licenses and their solicitors and bail fugitive recovery agents' licenses on the department's public internet website, together with their license numbers and any other information with respect to the persons as the commissioner considers advisable. The commissioner shall promptly upon termination, for any cause, of any license, update the department's public internet website.

(b) This section shall become operative on July 1, 2023.

(Repealed (in Sec. 16) and added by Stats. 2022, Ch. 768, Sec. 17. (AB 2043) Effective January 1, 2023. Operative July 1, 2023, by its own provisions.)

1819. The certificate of the commissioner certifying any facts found after hearing held under this chapter shall be prima facie evidence of the facts set forth therein.

(Added by Stats. 1939, Ch. 361.)

1820. Every bail license shall be prominently displayed in the office of the licensee.

(Added by Stats. 1939, Ch. 361.)

1821. (a) A license shall not be refused by the commissioner without proceedings in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, being initiated within 60 days from the date of filing the completed application.

(b) Sections 1724.5, 1733, 1734, 1735 and Articles 6 (commencing with Section 1666) and 13 (commencing with Section 1737) of Chapter 5 apply to persons licensed under this chapter, and "insurance agent" or "licensee", as used in those provisions, include persons licensed under this chapter.

(c) Subdivisions (a), (c), (e), (f), (g), and (h) of Section 1725.5 apply to persons licensed under this chapter, and "person" or "licensee," as used in those provisions, include persons licensed under this chapter.

(Amended by Stats. 2023, Ch. 204, Sec. 11. (AB 1140) Effective January 1, 2024.)

1822. A licensee or applicant for a license under this chapter shall notify the commissioner, in writing, of any change in the address from which he intends to conduct his business.

(Added by Stats. 1957, Ch. 671.)

1823. All surety companies which execute undertakings of bail shall keep any moneys collected from agents licensed pursuant to this code as buildup or reserve funds in segregated trust accounts within the state. These accounts shall be maintained as any of the following:

(a) A Federal Deposit Insurance Corporation (FDIC) insured account.

(b) United States government bonds and treasury certificates or other obligations for which the faith of the United States is pledged for the payment of principal and interest.

(c) Repurchase agreements collateralized by securities issued by the United States government.

(d) A money market fund that limits its portfolio to those securities listed in subdivisions (a) and (b).

The accounts described in this section shall not be hypothecated or offered as collateral.

The accounts described in this section shall be used to satisfy the unfulfilled obligations of the undertakings of bail written by the agents from whom the moneys have been collected and to otherwise satisfy the unfulfilled obligations which may be owing to the surety by those agents.

(Amended by Stats. 2000, Ch. 141, Sec. 1. Effective January 1, 2001.)