DENTON COUNTY BAIL BOND BOARD
LOCAL RULES

The following rules have been adopted by the Denton County Bail Bond Board, hereafter called the "Board", pursuant to its authority under Chapter 1704 of the Texas Occupations Code (hereinafter the "Bail Bond Act"). The rules relate to those persons or entities who may be licensed as a Bail Bond Surety, as defined in the Bail Bond Act, and who may write a bail bond in Denton County, Texas. Any rule violation may result in sanctions as the Board may assess pursuant to Texas Law.

DEFINITIONS

"Applicant" means a corporate surety or individual surety seeking a license or renewal of a license in Denton County;

"Board" means the Denton County Bail Bond Board;

"Bond" includes cash deposit or similar deposit or written undertaking, or other security, given to assure the appearance of a defendant in a criminal case;

"Bondsman" means any person, who for hire or for any compensation, deposits any cash or bonds or other securities, or executes as surety or co-surety any bond for other persons;

"Company" includes corporations and other business entities;

"County" means Denton County;

"Licensee" means a person licensed hereunder;

"Loss payee clause" means a clause in a contract of insurance which provides that in the event of payment being made under the policy in relation to the insured risk, payment will be made to a third party (the County) rather than to the insured beneficiary of the policy (the Licensee);

"Person" means an individual or corporation.

1. MEETING TIMES (See Tex. Occ. Code § 1704.055):

The Denton County Bail Bond Board shall meet at least once a month. The Denton County Bail Bond Board shall meet:

A. regularly at 8:30 a.m. on the fourth Thursday of each month, and on the third Thursday in the months of November and December; or

B. for a special meeting upon the request of three (3) or more members of the Board in accordance with the posting requirements of the Texas Open Meetings Act.

2. MEETING LOCATION

The Board shall meet at the Denton County Courthouse on the Square Commissioners' Courtroom, located at, 110 West Hickory, Denton, Texas, unless notice is posted specifying otherwise.

3. AGENDA ITEMS:

A. Pursuant to the Texas Open Meetings Act, [Tex. Government Code Ann. Ch. 551 (Vernon 1993 and as amended)] the Denton County Board posts an agenda prior to the meeting of the Board. An interested person may request an item to be placed on the Agenda by presenting the request in writing to the Bail Bond Section no later than 10 days before the Board Meeting at which it is desired to be discussed and acted upon. [Note: This does not apply to New or Renewal Applications. This is covered in Rule.4.]

B. The Board shall direct it's Staff Assistant to disburse or deliver copies of upcoming agendas, photocopies of all Board's communications, and new or renewal application materials to next-meeting agenda subjects, to all Board members, by at least ten (10) days before such monthly meeting.

4. APPLICATIONS FOR LICENSES (See Tex. Occ. Code § 1704.154, 1704.158, & 1704.162):

A. A completed application for an **original** Bail Bond Surety license, along with all required attachments, must be on file with the Board at least thirty (30) days before a license will be considered by the Board.

A completed application for the **renewal** of an existing license, along with all required attachments, must be filed with the Board no later than thirty-one (31) days prior to expiration of the license.

1. All applicants, license holders, or a license holder's attorney, are required to attend the Board meeting and will be subject to questioning by the Board, at the Board meeting, when their application is considered and prior to a vote by the Board on that application. An agenda stating which applications will be considered by the Board will be posted at the Denton County Sheriff's Office Bonding Office and at the Denton County

Administration Building no less than seventy-two (72) hours prior to the Board meeting, except in emergency situations.

2. Each license applicant, whether for an original license or for renewal of an existing license, must prove, among other requirements, to the satisfaction of the Board and by a preponderance of the evidence presented, that the applicant has possession of sufficient financial resources to provide Denton County indemnity against any unforeseeable loss on such obligations as may be undertaken by the applicant. Such evidence may be, but not limited to, financial statements prepared and certified by a Certified Public Account, current profit and loss statements certified by a Certified Public Accountant, or current asset/ liability balance sheets certified by Certified Public Accountant. Any documents to be accepted and considered shall be current and dated within 90 days of submission of the application.

3. (a) At the time a licensee deposits $50,000.00 in cash, cashier's check, CD's or property with the Bail Bond Board, the financial responsibility requirement of the law is considered satisfied.

   (b) No licensee may make a single bond in excess of the amount the licensee has deposited with the Bail Bond Board.

B. The application fee for an original or renewal license is not refundable.

C. An application that is withdrawn by the applicant prior to the board's hearing shall not be considered by the Board.

D. The Board may delegate to the members, and/or their designees, authority to investigate and conduct sworn Voir Dire examinations in application for, and/ or renewal of licenses, and into other matters such as, but not limited to, violations of any laws, rules and regulations.

5. CRIMINAL BACKGROUND CHECKS (See Tex. Occ. Code § 1704.153 & 1704.302):

A. No licensee shall employ or allow any person to volunteer in any capacity, who has been finally convicted of an offense constituting a misdemeanor involving moral turpitude or any felony offense. Furthermore, in connection with a Denton County Bail Bond license, no licensee shall accept anything of value from any person who has been finally convicted of an offense constituting a misdemeanor involving moral turpitude or any felony offense unless it is specifically for the purpose of making bail or bond for an individual.

B Before assuming the duties of Licensee of Agent, as defined under these rules, Licensees and Agents must pass a criminal background check conducted by the

Denton County Sheriff's Department. Upon passing the background check, Licensee or Agent shall be placed on the Denton County Sheriff department's list of licensees/agents who are allowed to perform the duties of a Licensee or Agent.

6. STANDING COMPLAINT COMMITTEE (See Tex. Occ. Code § 1704.251):

A. The Denton County Bail Bond Board has a standing complaint committee. The committee shall consist of the Sheriff's representative, the District Attorney's representative, and the licensed bail bond sureties' representative to the Board. The counsel to the Board may attend the committee meetings and provide legal advice to the committee.

B. Upon receipt of a sworn complaint against a bondsman licensed in Denton County, the committee shall review and investigate the complaint. Upon a majority vote of the committee, the committee shall submit a written recommendation to the Board's staff that the complaint be referred to the Board or that the complaint not be referred to the Board. Each committee member shall have one vote. Upon the recommendation of no referral to the Board, the Board's staff shall notify the bondsman and the complainant(s) of such decision. The Board may review and reverse the committee's recommendation at a regular or called meeting.

7. STANDING LOCAL RULES COMMITTEE:

The Denton County Bail Bond Board has a standing local rules committee. The committee shall consist of three Board members, one of which is the licensed bail bond sureties' representative and two other Board members appointed by the Chair. The counsel to the Board may attend the committee meetings, aid in drafting rules and amendments to rules, and provide legal advice to the committee.

8. ANNUAL ELECTION OF THE LICENSED BAIL BOND SURETIES' REPRESENTATIVE / SUBSTITUE FOR ABSENT REPRESENTATIVE (See Tex. Occ. Code §1704.0535):

A. The election of the licensed bail bond sureties' representative shall begin on the second Monday of January of each year and shall continue for five (5) consecutive business days.

B. Each individual licensed in the county as a bail bond surety or agent for a corporate surety is entitled to case one vote for each license held.

C. To vote, a licensed bail bond surety shall appear in person at the Bail Bond Board offices and shall provide the elections officer with photo identification. The elections officer shall be the Staff Assistant to the Board unless otherwise designated by the Board, at its sole discretion. The licensed bail bond surety desiring to vote shall sign in on the Licensed Bail Bond Surety Roster provided at the time of the election.

D. The elections shall be conducted by secret ballot on ballots provided by the Board. The Ballots are the property of the Denton County Bail Bond Board.

E. The ballots will be placed in a sealed ballot box and shall be opened and the votes tallied and canvassed by the Board at its first regular meeting after the election is conducted. Ballots where more than one candidate is marked are VOID and shall not be counted. If a licensed bail bond surety accidentally marks the wrong candidate, he/she shall advise the elections officer and the elections officer will exchange the Ballot and shall immediately destroy the miss-marked Ballot.

F. The licensed bail bond sureties' representative shall be elected by a plurality of the votes cast. A plurality vote is required. In order to prevail, a candidate must receive more votes than any other candidate for the office. No proxy voting will be allowed. No write-in votes will be allowed. The licensed bail bond sureties' representative shall take office at the regular February meeting of the Board. The term of office continues until a successor takes office.

G. In the event of a tie, a runoff election shall begin on the Monday following the regular meeting where the ballots were canvassed and shall continue for five (5) consecutive business days. The runoff ballots will be handled in the same manner as a regular election of the licensed bail bond sureties' representative. They shall be opened and the votes tallied and canvassed by the Board at its first regular meeting after the runoff election is conducted. The licensed bail bond sureties' representative in office at the time of the annual election shall holdover until a successor is qualified. The licensed bail bond sureties' representative elected in a runoff election may take office immediately upon the tally and canvass of the votes.

9. ANNUAL ELECTION OF THE CRIMINAL DEFENSE ATTORNEYS' REPRESENTATIVE (See Tex. Occ. Code §1704.0535):

A The election of the criminal defense attorney representative shall begin on the second Monday of January of each year and shall continue for five (5) consecutive business days.

B Any attorney who practices criminal law in Denton County may apply for a place on the ballot by filing an application for a place on the ballot with the Board's secretary no later than one week before the election is to occur.

C Applications shall be made on the prescribed form, which shall be available on the Bail Bond Board's website. Information concerning the application process will be distributed through the Denton Bar Association, the Denton Criminal Defense Lawyers Association, and by posting a notice on the Bail Bond Board's website.

D Each criminal defense attorney who practices in Denton County, has a principal place of business located within Denton County, and is not legally prohibited from representing criminal defendants within Denton County is entitled to cast one vote to elect the board member who is the criminal defense attorney representative.

E To vote, an attorney who practices criminal law in Denton County shall appear in person at the Bail Bond Board office and shall provide the elections officer with photo identification, bar card, and proof that their principal office is located within Denton County. The elections officer shall be the Staff Assistant to the Board unless otherwise designated by the Board, at its sole discretion. Each criminal defense attorney desiring to vote shall sign in on the Criminal Defense Attorney roster provided at the time of the election.

F The elections shall be conducted by secret ballot on ballots provided by the Board. The Ballots are the property of the Denton County Bail Bond Board.

G The ballots will be placed in a sealed ballot box and shall be opened and the votes tallied and canvassed by the Board at its first regular meeting after the election is conducted. Ballots where the name of more than one candidate is written will be deemed VOID and shall not be counted in the final tally. If a criminal defense attorney name is not printed or written legibly, the ballot will be deemed VOID.

H. The criminal defense attorneys' representative shall be elected by a plurality of the votes cast. A plurality vote is required. In order to prevail, a candidate must receive more votes than any other candidate for the office. No proxy voting will be allowed. No write-in votes will be allowed. The criminal defense attorneys' representative shall take office at the regular February meeting of the Board. The term of office continues until a successor takes office.

I. In the event of a tie, a runoff election shall begin on the Monday following the regular meeting where the ballots were canvassed and shall continue for five (5) consecutive business days. The runoff ballots will be handled in the same manner as a regular election of the criminal defense attorneys' representative. They shall be opened and the votes tallied and canvassed by the Board at its first regular meeting after the runoff election is conducted. The criminal defense attorneys' representative in office at the time of the annual election shall holdover until a successor is qualified. The criminal defense attorneys' representative elected in a runoff election may take office immediately upon the tally and canvass of the votes.

10. ANNUAL ELECTION OF THE PRESIDING OFFICER (See Tex. Occ. Code § 1704.054):

A. The Board shall conduct an annual election of the Presiding Officer at the regular March meeting of the Board.

B. The Presiding Officer shall be elected by a simple majority vote of the quorum present.

C. The Presiding Officer may succeed him or herself.

11. SECURITY FOR BAIL BOND LICENSES (See Tex. Occ. Code § 1704.155, 1704.160, & 1704.210):

A. Real Property as Collateral

1. No collateral of any kind submitted to obtain or renew a license can be changed, substituted for, or modified which might affect the Board's rights of execution against it, without prior written approval from the Board.

2. When a licensee submits real property(ies) as collateral (1) the property(ies) must be appraised by a real estate appraiser who is a member in good standing of a nationally recognized professional appraiser society or trade organization that has an established code of ethics, educational program, and professional certification program, e.g. Denton County Member of Appraisers Institute (M.A.I) or Society of Real Estate Appraisers (S.R.E.A.); (2) the property(ies) must have a minimum aggregate appraised value of Fifty Thousand Dollars ($50,000.00); (3) ~~it~~ the property(ies) must be re-appraised for each license renewal thereafter; and (4) it must be wholly situated within the State of Texas.

3. Real Property deeded in trust to the Board must meet the following requirements:

A. Property must be located within the State of Texas.
B. Such property cannot be exempt from forced sale.
C. Such property must be unencumbered.
D. The following documentation must be submitted:
   1. Original or certified copy of warranty deed executed and filed running in the name of the licensee, and
   2. Exhibit C of the Title Commitment specifying that there are no outstanding liens against the property other than the Board's deed of trust.

4. All submitted real estate **must** be appraised by a real estate appraiser who is a:
   a. Member in good standing of a nationally recognized professional appraiser society; or
   b. A member of a trade organization that has an established code of ethics, educational program, and professional certification program; or
   c. The county's most recent certified tax appraisal roll.

5. Surety must annually provide proof of insurance covering any improvements on the property in accordance with section 10 of this Rule.

6. The insurance policy must provide that Denton County and the Denton County Bail Bond Board as joint loss payee in the event of destruction/damage of the property submitted as collateral.

7. Official tax receipt photocopies of all State, County, City, and School District taxes through the previous tax year must be timely submitted with an application or renewal application.

8. Any Deed of Trust must be in a form approved by the Board. The Board must be the grantee in the Deeds of Trust and be recorded with the Denton County Clerk or in the county wherein the property used as collateral is located, prior to recording, the Deed of Trust must be approved as directed by the Board. The original or certified copy of the recorded Deed of Trust as well as a Designation of Non-Homestead (*See Attachment C)* will be held and secured as directed by the Board.

9. On or before June 30th of each year, bondsmen with real estate pledged as collateral for making bail bonds, will provide a copy of paid tax receipts for each piece of real estate so pledged.

   A. These receipts must show proof of taxes paid in full since the previous June 30th, and must show such payment for any county, city, school district, and other ad valorem taxes which are due for the previous calendar year.

Failure to comply with this provision will result in the applicable property being immediately deducted from the posted collateral as of June 30th of the applicable year.

B. If a bondsman provides proof that taxes were paid in full by June 30th, but provides that proof after June 30th, any collateral previously deducted by the Board's Staff Assistant, shall be immediately restored to the bondsman's account without the necessity of further Board action.

C. If a bondsman fails to pay taxes in full by June 30th but makes a later payment in full, he must make a request to the Board for reinstatement of collateral. Upon written request from a bondsman received ten (10) days before a scheduled monthly meeting of the Board, a request to reinstate real estate which has been deducted from posted collateral for non-payment or late payment of property taxes as stated above shall be placed on the agenda for the Board's consideration. If the bondsman provides proof at said meeting that all property taxes and penalties have been fully paid as of that time, the real estate shall be immediately restored to a bondsman's posted collateral.

10. Within ten (10) days after the insurance policy renewal date, bondsmen with real estate pledged as collateral for making bail bonds will annually provide proof of insurance coverage for each piece of real estate improvement(s) so pledged. The amount of the policy is not required to exceed the value of the improvement that is pledged as collateral.

    A. These policies must show proof that Denton County and the Denton County Bail Bond Board are joint loss payees in the event of destruction/damage to the property. Failure to comply with this provision will result in the applicable property being immediately deducted from posted collateral.

    B. If a bondsman provides proof that insurance is currently in effect, but provides that proof <u>after</u> the due date (i.e., within 10 days after the insurance policy renewal date), he/she must make a request to the Board for reinstatement of collateral. Upon written request from a bondsman received ten (10) days before a scheduled monthly meeting of the Board, a request to reinstate real estate which has been deducted from posted collateral for not providing proof of insurance as stated above shall be placed on the agenda for the Board's consideration. If the bondsman provides proof at said meeting that the bondsman has properly insured the property as of that time, the real estate shall be immediately restored to a bondsman's posted collateral.

B. <u>Cashier's Checks and/or Certificates of Deposit</u>

1. When a property licensee relies upon collateral other than real property, at his/her option, he/she may submit at least Fifty Thousand dollars ($50,000.00) in one of the following forms:

   A. A cashier's check of unlimited time duration that:
      1. Is styled "Denton County Treasurer";
      2. The Denton County Treasurer shall take possession of the original cashier's check(s) or certificate(s) of deposit and the original Security Agreement. The Treasurer shall deposit the cashier's check(s) into a bond security account.; or

   B. A certificate of deposit that:
      1. Is styled "Denton County Treasurer for the benefit of _____" *(See Attachment A)*;
      2. Is accompanied by and/or attached to the original security agreement (*See Attachment B)* to the Board executed by both, the Bail Bond Sureties and the issuing bank;
      3. Is never allowed to lapse;
      4. Is automatically renewable; and
      5. Is a negotiable instrument, or

   C. A non-negotiable certificate of deposit that:
      1. Is styled "Denton County Treasurer for the benefit of _____" *(See Attachment A)*;
      2. Is accompanied by and/or attached to the original security agreement to the Board executed by both, the Bail Bond Sureties and the issuing bank; and
      3. Is never allowed to lapse;

2. At such property licensee's option, he/she can deposit with the Denton County Treasurer any amount more than such Fifty Thousand dollars ($50,000.00), as approved by the Board, as additional security.

C. <u>Increase / Modifications / Substitutions of Security</u>

1. At such property licensee's option, he/she can deposit additional security in the form of cash or cashier's check, with the Denton County Treasurer any amount more than the Fifty Thousand dollars ($50,000.00) minimum required security, as approved by the Board, for an immediate increase in liability;

2. No collateral of any kind submitted to obtain or renew a license can be changed, substituted, or modified in any way that might affect the Board's rights of execution against it, without prior written approval from the Board.

3. Additional property submitted by the licensee must be approved by the Board before writing capability will be increased.

A corporate licensee with a currently valid certificate of authority or charter from the Texas Insurance Commission is here presumed both financially solvent and within their requirements of sufficient security reserves as they determine each three years.

D. Partial Releases of Property

A. Upon written request from a licensed surety still conducting bail bond business in Denton County, the Board may release a portion of the security it holds. The Board shall not reduce the surety's total security to an amount less than that required by § 1704.160, or to an amount that would violate the applicable bond to security ratio established by § 1704.203.

1. Written requests for release shall be filed no less than 45 days prior to the meeting date where the release is to be heard

B. The number of requests for release shall not exceed one per six month period, or twice per year per licensee.

C. The release is within the sole discretion of the Board.

12. SHERIFF (See Tex. Occ. Code § 1704.160 (i), 1704.201, 1704.203)

A. Pursuant to Rule #11, the Sheriff will accept no bail bonds from any property licensee who exceeds their bonding power.

B. Should any property licensee fail to maintain these required security ratios and the Sheriff declines to accept new bonds therefrom, such licensee can tender additional security in the form of cash or cashier's check for an immediate increase in order to qualify for continued operation. Otherwise, the matter will be placed upon the next available Board agenda for the Board's consideration, with ten (10) days certified mail notice, to such licensee's main office.

C. The Sheriff will accept no bail bonds from any corporate licensee, or agent, whose General Power has expired or has not properly and timely filed, with the Staff Assistant, certified copies to be included within the Board's file. However, limited Powers of Attorney accepted with individual bonds do not alone negate such valid otherwise General Power of Attorney from its establishing liability of the corporate surety here.

D. All bail bonds for county or district cases shall be accepted only by the Sheriff of Denton County, Texas ("The Sheriff").

E. No bond shall be accepted by the Sheriff from a bondsman, bonding company, or surety company for the release of a defendant who has been charged for an offense committed in Denton County, unless the surety is duly licensed under the authority of the Board. This does not apply to defendants in the Denton County Jail who are to be tried only in courts other than Denton County courts.

F. The Denton County Bail Bond Board will make available at the Sheriff's Department Bonding Office standardized reporting forms for each county licensee to complete for each license and return them there with each renewal application, and upon specific investigations. Such forms will call for each licensee's reporting of all statutorily required information. The Board will supply sample forms for licensee's exact reproduction.

13. AUTHORITY TO SIGN BAIL BOND DOCUMENTS (See Tex. Occ. Code § 1704.211 & 1704.154 and Tex. Code of Crim. Pro. Art. 17.07)

A. No agent and/or licensee may execute bonds for a surety unless such agent and /or licensee is individually licensed pursuant to the Bail Bond Act. Such Agent and/or licensee must also be specifically designated in the Surety's license application.

B. A surety may appoint more than one Agent; however for each such Agent, a separate application must be filed and all requirements of an individual licensee must be met with respect to application fees and security deposits.

C. Before any designated Agent may execute bonds on behalf of a licensed corporate surety, there must be filed as directed by the Board a General Qualifying Power of Attorney for that Agent. Such power of attorney may be revoked only by timely written notice of the Board.

D. Each licensee is required to have on file as directed by the Board, a current signature card before they will be permitted to execute bonds.

14. NOTICE OF CHANGE IN AGENTS OR ATTORNEYS:

A. Both individual and corporate sureties shall notify the Board in writing of any change in the registered or designated agent or attorney for service of citation within five (5) business days of such a change.

1. Sureties shall include the full name, address, and telephone number of the new registered or designated agent or attorney for service.

B. This includes notice of the waiver or rescinding of the waiver of citation as contemplated by Texas Code of Criminal Procedure, art. 22.03 filed with the clerks of the courts.

15. NAME ON BONDS

All sureties shall include their full name(s), addresses for service of citation, and license numbers, all legibly written, on the face of each bond they write in Denton County.

Failure to comply with this rule may result in the suspension or revocation of a license.

16. OFFICE (See Tex. Occ. Code § 1704.213):

All licensees must maintain an office in Denton County and must notify the Board within seven (7) days of opening a new office or moving an existing office to a new location.

For purposes of these rules, "office" is defined as any location where a licensee conducts bail bond business, maintains business records, employs staff, meets with clients, accepts payment of bonds, and/or installs and maintains an advertised phone number.

17. LICENSED BAIL BOND SURETY ADVERTISING (See Tex. Occ. Code §1704.109 & 1704.303):

A. No licensee may use a phone number, address or name to advertise or solicit bonds or maintain any separate (sub) offices with separate phone numbers without prior approval by the Board. Further, no licensee, agent or individual may advertise or solicit under an assumed name without being properly licensed by the Board and displaying a valid license number on any and all advertisements.

If a license is suspended, expired, or otherwise revoked, the person will, under scrutiny by the Board or its designate, cease and refrain from using, or referring from, any and all listed advertising associated with that license number. This shall go into effect twenty (20) days after the license is suspended, expired, or otherwise revoked. All violators will be subject to penalty under the Bail Bond Act and the Board shall recommend prosecution to the property authority.

B. No person, firm or corporation that is not licensed to make bail bonds may use a phone number, address, logo, or advertising of any kind to solicit or refer bond business to a licensee or to any non-licensee. Further, no licensee may use a phone number, address or office of a non-licensee to conduct any bail bond activities.

C. Such advertisement of solicitation may result in the suspension or revocation of its license.

18. ASSUMED NAME(S) (See Tex. Occ. Code § 1704.154(b)(2)(C)):

A. Each licensee or agent who uses an assumed name must submit to the Board a valid assumed Name Certificate or certified copy thereof properly filed with the Denton County Clerk's Office.

B. In addition, a licensee or agent shall not begin using in his or her bail bond business an assumed name that is the same as, or deceptively similar to, an assumed name that is already being used in a Denton County Bail Bond business.

C. Part B of this Rule does not apply to the following situations:

1. A licensee or agent may use a similar assumed name for additional licenses;
2. A licensee or agent may sell an assumed name to another licensee or agent, provided that the licensee or agent selling the assumed name ceases to use the assumed name upon expiration of the first renewal of their license after the sale; or
3. If a license holder dies, the licensee or agent being licensed under § 1704.152(c)(2) of the Texas Occupations Code may use an assumed name that is the same or similar to that of the deceased license holder.

19. IDENTIFICATION

Upon the request of any law enforcement personnel, any qualified licensees and their designated employees must present a picture ID, in order to present bonds for acceptance and/or receive persons released on bond from our Sheriff's Department.

20. NOTICE OF INDEBTEDNESS (See Local Government Code Ch. 154.045(d))

Pursuant to Chapter 1704.001 et seq. of the Texas Occupation Code, the Denton County Bail Bond Board is a statutorily created unit of government of the State of Texas.

As a government entity, the Bail Bond Board, shall also enforce § 154.045 of the Local Government Code - Disbursements To Person With Outstanding Debt Prohibited.

Styling of Certificate of Deposit

With Insurance/Surety:

DENTON COUNTY TREASURER FBO {INSURANCE COMPANY NAME}, AGENT {AGENT NAME}, DBA {BAIL BOND COMPANY NAME}

Without Insurance/Surety:

DENTON COUNTY TREASURER FBO, AGENT {AGENT NAME}, DBA {BAIL BOND COMPANY NAME}

Attachment A

Attachment B

DENTON COUNTY BAIL BOND BOARD
110 W. Hickory, 2nd Floor
Denton, Texas 76201
Phone: (940)349-3230 Fax: (940)349-5127

Cindy Yeatts Brown, County Treasurer, Board Chairperson
Joe Holland, Justice of the Peace Representative
Judge L. Dee Shipman, District Court's Representative
Sherri Adelstein, District Clerk
Eydie Burgess, Bail Bond Companies' Representative
Kate Lynass, Commissioners' Court Representative
Judge Joe Bridges, Criminal Court #4
Michael Moore, District Attorney's Representative
Kerensa Stevens, County Clerk Representative
Daniel Peugh, Attorney Representative
Lt. Barry Clearman, Sheriff's Department
Judge Robin Ramsay, Municipal Judge

DENTON COUNTY BAIL BOND BOARD
SECURITY AGREEMENT

1. This is a pledge/security agreement between the Denton County Bail Bond Board ("the Board") and

_____,

hereinafter "Licensed Bail Bond Surety," entered into on this date.

2. In consideration of the Board granting a bail bond license as provided in the Texas Occupation Code § 1704 (Vernon Supp. 2003), Licensed Bail Bond Surety hereby grants the Board a security interest in that certain certificate of deposit ("CD") representing funds at _____ ["the Bank"] numbered _____ and dated _____ and in the face amount of _____. The CD represents the security required by the Texas Occupation Code for a bail bond license.

3. The Bank hereby acknowledges and accepts this Security Agreement and the purpose of securing a bail bond license as prescribed by Texas law. The Board's claim on this CD is superior to any claim the Bank may have.

4. The original certificate of deposit shall be tendered to the Denton County Treasurer or her successors, assigns, or designees as provided by the Texas Occupation Code. The Denton County Treasurer acts on behalf of the Board for the purposes and use of the CD.

5. Licensed Bail Bond Surety shall pay a final judgment on a forfeiture of a bail bond executed by Licensed Bail Bond Surety not later than the 31st day after the date of the final judgment unless a timely motion for a new trial or a notice of appeal has been filed according to Texas Occupation Code § 1704.204. If Licensed Bail Bond Surety fails to pay a final judgment as required, the Treasurer shall pay the judgment

from the funds of the CD without further notice to Licensed Bail Bond Surety from the Board. The Denton County Treasurer may redeem the CD for unpaid judgments.

6. It is agreed that this is a continuing agreement and that the provisions of this agreement apply to all future bail bond transactions between the Board and Licensed Bail Bond Surety.

7. Texas law shall apply to this security agreement.

8. This agreement inures to the benefit of the parties herein, their representative, heirs, executors, administrators, legal representatives, successors, and assigns.

9. In the event any one or more of the provisions contained in this agreement is for any reason held to be invalid, illegal or unenforceable, all other provisions remain valid, binding, and effective as if the invalid, illegal, or unenforceable provisions had not been included.

10. This agreement constitutes the sole agreement of the parties and supersedes any prior understanding or written or oral agreements regarding this security. This agreement is subject to the Texas Occupation Code and its provisions

EXECUTED this _____ day of _____, 20____.

_____	_____
Authorized Agent for	Authorized Agent for
_____	_____
[COMPANY]	[BANK]

SURETY'S ACKNOWLEDGEMENT

STATE OF TEXAS §
§
COUNTY OF _____ §

On this day, personally appeared before me, the undersigned notary public, _____ who is the duly authorized Representative of the Surety. I administered an oath to him, upon his oath, he said he read the foregoing Security Agreement and acknowledged that he had the authority to enter into such Security Agreement and further acknowledged that it was executed for the purposes stated within such Security Agreement.

SWORN TO, and SUBSCRIBED before me by _____, on the _____ day of _____, 20___.

_____
Notary Public in and for the
State of Texas

BANK'S ACKNOWLEDGEMENT

STATE OF TEXAS §
§
COUNTY OF _____ §

On this day, personally appeared before me, the undersigned notary public, _____ who is the duly authorized Representative of the Bank. I administered an oath to him, upon his oath, he said he read the foregoing Security Agreement and acknowledged that he had the authority to enter into such Security Agreement and further acknowledged that it was executed for the purposes stated within such Security Agreement.

SWORN TO, and SUBSCRIBED before me by _____, on the _____ day of _____, 20___.

_____
Notary Public in and for the
State of Texas

ACCEPTED:

_____
Chair, Cindy Yeatts Brown
Denton County Bail Bond Board

Attachment C

NON-HOMESTEAD AFFIDAVIT

AND DESIGNATION OF HOMESTEAD

STATE OF TEXAS '

' KNOW ALL MEN BY THESE

' PRESENTS:

COUNTY OF _____ '

Before me, the undersigned authority, on this day personally appeared _____a

nd spouse,

_____

who, after being placed by me under oath, stated the following:

"We do not now reside upon, use in any manner, nor claim as either a business or residence homestead, nor have any present intention of ever in the future residing upon, using, or claiming as either a business or residence homestead, the following described real property:

_____

_____

_____

_____

_____

We hereby renounce and disclaim all homestead rights, interests, and exemptions in the real property described above.

"We now reside upon, use, and claim as our legal homestead the following described real property (the "Homestead Property"):

_____

_____

_____

_____

_____

which property has as its common address:

_____
_____
_____
_____.

"The Homestead Property is improved with a dwelling house, is amply sufficient as a residence homestead for us, and the fee simple title to which is vested in our names. We hereby set apart and designate the Homestead Property as the homestead to which our family is entitled, under the constitution and laws of the State of Texas, exempt from forced sale, and we further declare that the Homestead Property is all of the real property and the only real property to which we are now entitled as a homestead exempt from forced sale.

"No representations or other agreements with respect to the subject matter of this affidavit have been made by us other than as set forth herein.

"This affidavit and designation is made to induce the Denton County Bail Bond Board to accept a deed of trust upon the property first described above, which is not our homestead."

_____ _____
(grantor) (spouse)

SIGNED on this the _____ day of _____, 20___.

SWORN TO AND ACKNOWLEDGED before me by _____ and _____ on this the _____ day of _____, 20___.

_____
Notary Public, State of Texas