

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 597
Committee Substitute Favorable 4/18/13

Short Title: Bail Bondsman Credentials/Official Shield.

(Public)

Sponsors:

Referred to:

April 9, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT OFFICIAL CREDENTIALS OF A BAIL BONDSMAN
3 SHALL INCLUDE AN OFFICIAL SHIELD AND TO PROVIDE FOR THE DESIGN OF
4 THE SHIELD.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 58-71-40(d) reads as rewritten:

7 "(d) When a license is issued under this section, the Commissioner shall ~~issue~~ authorize
8 the issuance of official credentials to the licensee. The credentials shall include the following:

9 (1) ~~a~~ A picture identification card, of design, size, and content approved by the
10 Commissioner, to the licensee. Commissioner. Each licensee must carry this
11 card at all times when working in the scope of the licensee's employment.

12 (2) An official shield that is approved and provided by the Commissioner upon
13 request of the licensee, which shall:

14 a. Be a duplicate in size and shape of the shield currently pictured in 12
15 NCAC 07D. 0405.

16 b. Be gold with blue lettering.

17 c. Include the licensee's last name and corresponding license number,
18 and the words "North Carolina Bail Agent" shall replace the words
19 "Private Investigator" on the shield referenced in sub-subdivision a.
20 of this subdivision.

21 While engaged in official duties, a licensee shall be allowed to carry, possess, and display
22 an approved shield as described in subdivision (2) of this subsection. A licensee possessing a
23 shield that has not been approved and provided by the Commissioner shall be deemed an
24 unauthorized shield and its possession shall constitute a violation of the statute by the licensee.

25 (e) A licensee whose license terminates or is terminated shall surrender the
26 identification card and shield to the Commissioner within 10 working days after the
27 termination.

28 (f) The Commissioner may contract directly with persons for the processing and
29 issuance of picture identification cards and shield required by this section and may charge a
30 reasonable fee in addition to the license fee charged under G.S. 58-71-55 in an amount that
31 offsets the cost of the service, including the costs associated with the contract authorized by this
32 subsection. Contracts entered into pursuant to this subsection shall not be subject to Article 3 of
33 Chapter 143 of the General Statutes. However, the Commissioner shall: (i) submit all proposed
34 contracts for supplies, materials, printing, equipment, and contractual services that exceed one
35 million dollars (\$1,000,000) authorized by this subsection to the Attorney General or the
36 Attorney General's designee for review as provided in G.S. 114-8.3; and (ii) include in all



1 contracts to be awarded by the Commissioner under this subsection a standard clause which
2 provides that the State Auditor and internal auditors of the Commissioner may audit the records
3 of the contractor during and after the term of the contract to verify accounts and data affecting
4 fees and performance. The Commissioner shall not award a cost plus percentage of cost
5 agreement or contract for any purpose."

6 **SECTION 2.** This act is effective when it becomes law and applies to any person
7 licensed pursuant to G.S. 58-71-40.