**A** **BILL**

TO AMEND SECTION 38‑53‑140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXPIRATION AND RENEWAL OF A BAIL BONDSMAN LICENSE, SO AS TO ALTER THE EXPIRATION DATE OF A BAIL BONDSMAN LICENSE AND TO INCREASE THE RENEWAL FEES; AND TO AMEND SECTION 38‑53‑250, RELATING TO REQUIREMENTS FOR DISCHARGE OF CUSTODY WHEN A DEFENDANT HAS BEEN ADMITTED TO BAIL, SO AS TO ALLOW FOR A DEFENDANT HELD IN A COUNTY OR MUNICIPAL CORRECTIONAL FACILITY OR JAIL TO SECURE HIS IMMEDIATE RELEASE UNDER CERTAIN CIRCUMSTANCES.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 38‑53‑140 of the 1976 Code is amended to read:

“Section 38‑53‑140. All licenses issued pursuant to the provisions of this chapter expire ~~annually~~ bi‑annually on June thirtieth of even numbered years unless revoked or suspended prior to that time by the director or his designee or upon notice served upon the director or his designee that the employer of any runner has canceled the licensee’s authority to act for the employer.

A renewal license must be issued by the director or his designee to a licensee who has met the continuing education requirements in Section 38‑53‑85(A) upon the payment of a renewal fee of ~~two~~ four hundred dollars for runners and ~~four~~ eight hundred dollars for professional bondsmen, but the licensees are required in all other respects to comply with the provisions of this chapter. After the receipt of the licensee’s application for renewal, the current license continues in effect until the renewal license is issued or denied for cause.”

SECTION 2. Section 38‑53‑250 of the 1976 Code is amended to read:

“Section 38‑53‑250. (A) When the defendant has been admitted to bail, he, or another in his behalf, may deposit with an official authorized to take bail a sum of money or nonregistered bonds of the United States, of the State, or of any county, city, or town within the State, equal in market value to the amount of the bail, together with his personal undertaking, and an undertaking of any other person, if the money or bonds are deposited by that person. Upon delivery to the official, in whose custody the defendant is, of a certificate of deposit, he must be discharged from custody.

(B) When bail other than a deposit of money or bonds has been given, the defendant or the surety may, at any time before a breach of the undertaking, deposit the sum mentioned in the undertaking, and, upon deposit being made, accompanied by a new undertaking, the original undertaking is canceled.

(C) When a defendant is confined in a county or municipal correction facility or jail for a nonviolent Class B or C misdemeanor or an offense with a maximum penalty of not more than two years or a traffic violation for which an uniform traffic ticket has been issued, he may secure his immediate release in cash or surety bond with the appropriate county or municipal correctional facility or jail official trained by a magistrate to accept bail on his behalf. A county or municipal correctional facility or jail must be staffed at all times with such official trained to accept bail as provided in this subsection. This official may accept all surety bond releases with the same conditions set for all defendants in court.”

SECTION 3. This act takes effect upon approval by the Governor.

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