**A** **BILL**

TO AMEND SECTION 38-53-170(e) OF THE 1976 CODE, RELATING TO THE PREMIUM AND COLLATERAL A BONDSMAN MAY ACCEPT FROM A PRINCIPAL; TO PROVIDE THAT THE MINIMUM PREMIUM A BONDSMAN MAY ACCEPT MUST BE AT LEAST FIVE PERCENT OF THE FACE AMOUNT OF THE BOND; AND TO AMEND CHAPTER 53, TITLE 38 OF THE 1976 CODE, RELATING TO BAIL BONDSMEN AND RUNNERS, BY ADDING SECTION 38-53-175, TO PROVIDE THAT A BONDSMAN OR RUNNER MUST ACCEPT AT LEAST FIVE PERCENT OF THE FACE AMOUNT OF A BOND BEFORE THE BOND MAY BE EXECUTED.

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

SECTION 1. Section 38-53-170(e) of the 1976 Code is amended to read:

“(e) accept anything of value from a principal except the premium, which must be at least five percent but may not exceed fifteen percent of the face amount of the bond~~, with a minimum fee of twenty‑five dollars~~. However, the bondsman is permitted to accept collateral security or other indemnity from the principal which must be returned upon final termination of liability on the bond. The bondsman shall identify who is paying the premium and shall represent that the collateral security or other indemnity has not been obtained from any person who has a greater interest in the principal’s disappearance than appearance for trial. The collateral security or other indemnity required by the bondsman must be reasonable in relation to the amount of the bond;”

SECTION 2. Chapter 53, Title 38 of the 1976 Code is amended by adding:

“Section 38-53-175. A bondsman or runner must collect at least five percent of the face amount of a bond from the principal before the bond may be executed.”

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

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