**South Carolina General Assembly**

126th Session, 2025-2026

**H. 4512**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Wooten

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Introduced in the House on May 6, 2025

Currently residing in the House Committee on **Judiciary**

Summary: Bond premium

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 5/6/2025 House Introduced and read first time (House Journal‑page 227)

 5/6/2025 House Referred to Committee on **Judiciary** (House Journal‑page 227)

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=4512&session=126&summary=B)  at the website

**VERSIONS OF THIS BILL**

[05/06/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/4512_20250506.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 38-53-175 SO AS TO LIMIT THE AMOUNT OF A BOND PREMIUM, ESTABLISH A MINIMUM FEE, AND PERMIT PAYMENT AGREEMENTS IN EXCESS OF TEN PERCENT; AND BY AMENDING SECTION 38-53-170, RELATING TO UNLAWFUL ACTS OF BONDSMEN OR RUNNERS, SO AS TO REMOVE REFERENCES TO LIMITATIONS AND OTHER RESTRICTIONS ON BOND AGREEMENTS.

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

SECTION 1. Chapter 53, Title 38 of the S.C. Code is amended by adding:

 Section 38-53-175. (A) The bond premium may not exceed fifteen percent of the face amount of the bond.

 (B) A bondsman must charge and collect a minimum fee of one hundred dollars or ten percent of the bond, whichever is greater, before the execution of the bond.

 (C) Payment agreements are permitted for amounts in excess of ten percent of the bond but are otherwise prohibited.

SECTION 2. Section 38-53-170(e) of the S.C. Code is amended to read:

 (e) accept anything of value from a principal except the premium, which may not exceed fifteen percent of the face amount of the bond, with a minimum fee of one hundred dollars or ten percent of the bond, whichever is greater, that must be charged and collected by the bondsman before the execution of the bond. Conditions of the bond which expressly or implicitly require payment of monies in excess of the premium, as a cost of satisfying the condition of the bond, shall not be considered part of the bondsman’s premium, and are not affected by this code provision. The bondsman may collect these fees from the defendant and is not limited by any language requirements of this code provision.

 However, the bondsman is permitted to enter into a payment agreement by attaching a statement of bondsman to the bond proceeding form and this agreement shall require the principal on the bail bond or any indemnitor to make a minimum down payment of one hundred dollars. This payment agreement may not be altered and must not exceed eighteen months after the date on which the bond was executed. If the payment has not been made for two consecutive months, the bondsman must send a certified notice to the last known address of the principal and indemnitor demanding payment be made within ten days to bring the agreement current. If no payment is received by the end of the notice period, the bondsman must surrender the principal to the proper detention facility for holding and file a motion to be relieved as provided in Section 38-53-50(A) or (B), at which time the agreement must be accelerated, and the balance paid in full, before or at the motion hearing for the principal to be rereleased on bond. The bondsman may accept collateral security or other indemnity from the principal which must be returned within ten days after final termination of liability on the bond unless a bench warrant has been issued. 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. If the bond is forfeited, a bondsman may not convert collateral described in the collateral receipt to cash until he has provided a ten-day notice of this pending conversion to the depositor. This notice must be sent by certified mail to the last known address of the depositor. After the conversion, the bondsman must disclose the actual amount received to the depositor and must return any amount received that exceeds the final judgement or consent amount, less any reasonable expenses. These reasonable expenses include apprehension and legal costs incurred as a result of the violation of the bond. The bondsman must provide the depositor copies of all receipts and, if applicable, the overage money within three days after settlement;

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

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