

THE SURETY & FIDELITY ASSOCIATION OF AMERICA

MEMORANDUM

TO: Government Affairs Advisory Committee
FROM: Daniel Wanke
RE: Commercial Surety Legislation
DATE: May 2, 2016

There are 19 states and the District of Columbia in session. In all states except New Jersey and Virginia, the 2016 sessions are the second year of a two-year session. North Carolina convened its regular session in April. Alabama, Arizona, Connecticut, Hawaii, Iowa, Kansas, Kentucky, Maine, Maryland, Mississippi, Nebraska, Tennessee, and Vermont have adjourned since the last report. Colorado, Illinois, Minnesota, and Missouri are projected to adjourn in May. The following report compiles and summarizes the commercial surety legislation that SFAA is tracking as of May 2, 2016. For additional information on how SFAA is addressing these bills, as necessary, with the AIA, the local surety associations and other interested parties, please visit the Government Relations page of the SFAA website at www.surety.org.

Jurisdiction	Bill(s)	Recent History	Issue	SFAA Summary
AK	HB 247/ SB 130	04/28/2016 HB 247 is scheduled to be heard in committee in the House on 05/02/2016. 04/18/2016 SB 130 has been heard in committee in the	Miscellaneous Bond—Oil and Gas Businesses	HB 247/SB 130, as amended, would require oil or gas businesses conducting exploration, development, or production to post a \$250,000 bond or other security conditioned on the payment of taxes and contributions owed to the State and its political subdivision, payment to persons furnishing labor or material or renting or supplying equipment to the business, and any judgments against the business. The bill would permit direct actions on the bond, but the surety’s aggregate liability would be limited to the bond amount. (04/14)

		Senate where it was held.		
AK	SB 152/ HB 271	04/12/2016 HB 271 has been reported from committee in the House and referred to an additional committee. SB 152 has not moved since last reported.	License Bonds— Money Transmitters and Currency Exchanges	SB 152/HB 271 would revise the license bond amount for money transmitters, which must be for \$25,000, plus \$5,000 per location, up to a maximum of \$125,000. The bond can be increased to \$500,000 based on financial condition. The bill would require a bond in an amount from \$25,000 to \$1 million as the Department of Commerce, Community, and Economic Development determines. The bill would eliminate the other forms of security provided in lieu of a bond. The bill also would subject currency exchanges to this bond requirement. (04/12)
AZ	HB 2444	03/30/2016 HB 2444 passed the Senate with amendments and has been sent back to the House.	Miscellaneous Bond— Towing Companies	HB 2444, as amended, would require towing company employees conducting a level one motor vehicle inspection to post a bond for not more than \$25,000. The bond would have to cover all of the towing company's locations. (04/04)
CA	AB 1142	04/18/2016 AB 1142 has been enacted.	Financial Assurance— Surface Mining	AB 1142 revises the existing law's financial assurance requirements for surface mining operations to provide that the owner or operator only has to adjust the amount of financial assurance provided if the cost estimate identifies a need to increase the amount. The new law provides for an additional review of the financial assurance cost estimate from the Director of Conservation. Surety bonds are accepted under existing law to meet the financial assurance requirements. (04/21)
CA	AB 1916	04/19/2016 AB 1916 is pending reconsideration in committee in the Assembly.	School Bond	AB 1916 would require a private postsecondary institution to post a surety bond for not less than the total amount of tuition and fees charged by the institution for the immediately preceding academic year, divided by four. The Bureau for Private Postsecondary Education in the Department of Consumer Affairs would have 120 days from the date of closure to make a claim on the bond on behalf of students or to reimburse the Student Tuition Recovery Fund. (04/20)

CA	AB 2729	04/18/2016 AB 2729 has been amended in committee and re-referred to committee in the Assembly.	Financial Assurance— Oil and Gas Wells	AB 2729 would increase the amount of the bond required for oil and gas well operators from \$25,000 to \$50,000 for each well that is less than 10,000 feet deep, and from \$40,000 to \$80,000 for each well that is 10,000 or more feet deep. The bill also would revise the blanket bond amount for operators with 20 or more wells by eliminating the option to post a bond for \$200,000 for any operator having 50 or fewer wells in the State, excluding properly abandoned wells. (04/18)
CA	AB 2899	04/21/2016 AB 2899 passed out of committee in the Assembly and was re-referred to an additional committee.	Miscellaneous Bond— Wages	AB 2899 would require persons appealing a citation from the Labor Commissioner for failing to pay the minimum wage to employees to post a bond equal to the total amount of any minimum wages, liquidated damages, and overtime compensation that are due to the employees. The bond amount would not include any penalties. The bond would be conditioned on complying with the payments ordered by the court if the citation is affirmed. (04/18)
CO	SB 36	04/21/2016 SB 36 passed the Senate.	Appeal Bonds	SB 36 would revise the appeal bond requirements for tax cases so that an appeal bond or other security only could be posted for an appeal of a final determination for frivolous request for a hearing on the tax at issue. (04/25)
CO	HB 1261	04/18/2016 HB 1261 passed the House.	License Bond— Marijuana Retailers	HB 1261 would repeal the license bond required for retail marijuana establishments. The law requires a \$5,000 surety bond conditioned on payment of the applicable taxes. (04/18)
CO	HB 1306	04/21/2016 HB 1306 has been enacted.	License Bond— Mortgage Loan Originators	HB 1306 revises the license bond requirement to delete the prescribed amount of \$25,000 for mortgage loan originators. The bond amount will be set by regulation instead. The new law provides that the surety bond may be held by the individual mortgage loan originator or it may be in the name of the mortgage loan originator's employer. (04/25)
CO	HB 1360	04/26/2016 HB 1360 passed the Senate with amendments and the House concurred in the	Miscellaneous Bond— Midwives	HB 1360 would require the Executive Director of the Department of Regulatory Agencies to convene a working group to investigate ways to manage risks in practicing midwifery. The working group would have to assess risk management tools such as professional liability insurance; a joint underwriting authority; a risk retention group; letters of credit; and posting surety bonds or other security to satisfy a claim based on professional negligence. The working group would have to report its

		Senate-passed bill.		findings to the Executive Director by October 1, 2016. (04/28)
CO	HB 1404	04/25/2016 HB 1404 passed the House.	Miscellaneous Bond— Fantasy Contest Operators	HB 1404 would require fantasy contest operators to adopt procedures for operating the contest that includes segregating the fantasy contest players' funds from its operational funds. The operator would have to maintain a reserve in the form of a bond or other security equal to the deposits in the fantasy contest players' accounts to secure the players' funds. (04/25)
CT	HB 5444	05/04/2016 HB 5444 passed the Senate, sending it to the House.	Public Official Bonds	HB 5444 would permit the Connecticut Health Insurance Exchange to procure an equivalent insurance product in lieu of the surety bond required for its board members, chief executive officer and employees. The bill also would eliminate the requirement that the Attorney General must approve of the bond or insurance. (04/27)
CT	HB 5591	05/03/2016 HB 5591 has been sent to the Governor.	Public Official Bonds	HB 5591 would create the Connecticut Retirement Security Authority. Members of the Authority's board of directors who handle funds or sign checks for the Connecticut Retirement Security Program, and any other authorized officer would have to post a \$50,000 bond. A blanket position bond covering the executive director, every board member, and other Authority employee or authorized officer that is equal to \$50,000 would be accepted in lieu of individual bonds. (04/28)
DE	HB 276	04/01/2016 HB 276 has been enacted.	Public official Bonds	HB 276 repeals the law concerning county comptrollers, who had to post a \$10,000 bond. With the elimination of the law, the bond requirement has been eliminated as well. (04/14)
GA	SB 255	04/12/2016 SB 255 has been enacted.	Court Bond— Wage Garnishment	SB 255 revises the current law concerning proceedings for the garnishment of wages. The new law eliminates the bond requirement that the plaintiff must post in connection with initiating the garnishment proceedings and a bond that the defendant may post in lieu of presenting the property or cash to be garnished to the court. (04/18)
GA	SB 283	04/26/2016 SB 283 has been enacted.	Depository Bonds	SB 283 sets forth separate security requirements for covered depositories holding public funds. Covered depositories must secure their deposits by establishing a pool of collateral; furnish a surety bond, a deposit of securities, the FDIC's guarantee or insurance, any obligation authorized by the State Depository Board, or by any combination of these methods; and if participating in the multibank pool, guarantee a public body's deposits against loss. (04/28)

GA	SB 439	04/26/2016 SB 439 has been enacted.	Public Official Bonds	SB 439 sets forth the charter for the City of Barwick. The new law requires the city's officers and employees of this city to post bonds in the amount and with the conditions that the city council requires. The new law authorizes the municipal court to set bail and accept a bond, cash, or personal or real property as surety for the appearance of a defendant. The bond will be forfeited if the defendant fails to appear in court. (04/28)
GA	HB 514	04/26/2016 HB 514 has been enacted.	Public Official Bonds	HB 514 revises the charter for the City of South Fulton. The new law requires the city's officials and employees to post bonds in the amount the city council requires. The new law authorizes the municipal court to set bail and accept a bond, cash, or personal or real property as surety for the appearance of a defendant. The bond would be forfeited if the defendant fails to appear in court. (04/28)
GA	811	04/26/2016 HB 811 has been enacted.	Public Official Bonds	HB 811 repeals the bond requirement for the Commissioner of the Department of Banking and Financial Institutions, as well as for the Department's deputy commissioner and examiners. The commissioner had to post a \$50,000 bond and the deputy commissioner and examiners had to post a \$10,000 bond. Instead, these officials now must file a written oath that includes the conditions that the bond currently secures. (04/28)
GA	HB 818	04/26/2016 HB 818 has been enacted.	Miscellaneous Bond—Workers' Compensation Self-Insurance Plans	HB 818 revises the current law for workers' compensation self-insurers participating in the Self-Insurer Guaranty Trust Fund (Fund) to eliminate the option to provide forms of security other than a surety bond or irrevocable letter of credit to secure their plans. The new law clarifies that the board of trustees could recover funds from the bonds or other security that an insolvent employer provided to secure the employer's continuing obligations in addition to its outstanding obligations. (04/28)
HI	SB 2910	04/28/2016 SB 2910 has been reported from conference committee.	Public Official Bonds	SB 2910 would increase the bond required for the members of the Time Share Commission of Deeds from \$1,000 to \$10,000. (04/28)
IA	SB 2228	04/13/2016 SB 2228 has been enacted.	License Bond—Motor Vehicle Dealers	SB 2228 increases the license bond required for motor vehicle dealers from \$50,000 to \$75,000. (04/14)

IL	SB 241	04/21/2016 SB 241 passed the Senate.	Miscellaneous Bond— Energy Savings Contracts	SB 241 would revise the law for guaranteed energy savings contracts for school districts and vocational centers. The bill would reduce the time frame within which the energy or operational costs savings must exceed the costs of the energy conservation measures as a condition of the contract from 20 years to 10 years. The law requires a bond to secure the installation and performance of all the measures in the contract. (04/28)
IL	HB 1056/ SB 3325	04/20/2016 HB 1056 passed the House. 04/21/2016 SB 3325 passed the Senate.	License Bond— Manufactured Home Dealers	HB 1056/SB 3325 would require manufactured home dealers and community-based manufactured home dealers to be licensed and post a \$20,000 bond or certificate of deposit per license. The bond would be conditioned on the proper transmittal of all title and registration fees and taxes that the dealer accepts. The bond would have to be in place for the license term. (04/21)
IL	SB 2825/ HB 4492	04/12/2016 SB 2825 passed the Senate. 04/22/2016 HB 4492 passed the House.	Court Bond— Civil Penalties	SB 2825/ HB 4492 authorizes the board of trustees for the North Shore Sanitary District to impose civil penalties for violations of the law concerning discharges into the sewers within the district. Persons seeking a judicial review of the penalties would have to deposit the penalties owed into an escrow account or post a bond for the amount of the penalties while the penalties are under review. (04/14)
IL	SB 3071	04/20/2016 SB 3071 passed the Senate.	Public Official Bond	SB 3071 would eliminate the duty for the State Treasurer to serve as the treasurer of the Illinois State Board of Investment. The law requires the State Treasurer to post a bond in connection with this duty, which would be eliminated along with this duty. The bill provides for the appointment of custodians for the Board, but does not provide for a bond requirement. (04/28)
KS	HB 2131	04/06/2016 HB 2131 has been enacted.	Miscellaneous Bond— Wireless Facilities	HB 2131 prohibits local authorities from requiring surety bonds or other security to secure the removal of an unused or abandoned wireless facility unless similar requirements are imposed on other permits for other types of commercial development or land uses. The bond or security cannot exceed a reasonable estimate of the direct cost of the facility's removal. Surety requirements must be competitively neutral, non-discriminatory, reasonable in amount and commensurate with the historical record for abandoned local facilities and structures. (04/12)

KY	SB 103	04/08/2016 SB 103 has been enacted.	Court Bond— Estates	SB 103 sets forth procedures for individuals to issue a declaration concerning their preferences for the disposition of the person's remains after death, any funeral and cemetery arrangements, and a designated person to carry out these preferences. Any person challenging the declaration must post a bond or other security sufficient to guarantee payment to the entity holding the declarant's remains for any charges incurred while the action is pending. (04/15)
KY	SB 182	04/05/2016 SB 182 has been enacted.	License Bond—Grain Businesses	SB 182 eliminates an exemption from the grain warehouseman bond requirement permitted for grain dealers who also are warehousemen. The law requires all grain dealers to post a bond and that bond must be in an amount that is sufficient for the warehouse if the dealer is also a warehouseman. (04/11)
KY	HB 261	04/08/2016 HB 261 has been enacted.	Miscellaneous Bond—Utility Service Providers	HB 261 requires a utility service provider to furnish a surety bond or other security in connection with obtaining a certificate of public convenience and necessity to construct facilities to provide utility services. The bond or other security must secure the operation of the facilities in a reasonable and reliable manner for at least five years. The bond or security must be in an amount sufficient to ensure compliance with the applicable laws. (04/15)
LA	SB 183	04/18/2016 SB 183 passed the Senate.	License Bond— Cosmetology Schools	SB 183 would increase the bond amount required for cosmetology schools that charge tuition from \$5,000 to \$30,000. (04/18)
LA	SB 427	04/20/2016 SB 427 passed the Senate.	Financial Assurance— Oil and Gas Wells	SB 427 would require the Commissioner of Conservation to adopt regulations for plugging dry or abandoned oil and gas wells that include a requirement to provide a bond to secure the performance of the well plugging, site closure, and cleanup. The bill also would permit credits that could be transferred between wells to be used in lieu of the bond. Such credits would be given for plugging orphaned wells that have been inactive for at least five years. (04/21)
LA	SB 447	04/20/2016 SB 447 passed the Senate.	Court Bond— Leases	SB 447 would require persons filing a suit or appealing a lease or sublease award from a public benefit corporation to post security for the payment of damages, costs or expenses, or losses to the public benefit corporation, political subdivision, State, lessee or sublessee resulting from the appeal or suit. Surety bonds would be accepted to meet the requirement. The court would determine the amount, which could not be less than the amount of rent for the first five years of the lease or sublease for leases less than 25 years and for leases longer than 25 years, the amount of rent for the first

				10 years of the lease. (04/21)
LA	HB 1127	04/05/2016 HB 1127 has been introduced.	License Bond—Auto Title Companies	HB 1127 would increase the bond amount required for auto title companies from \$10,000 to \$100,000 if the company has one location in the State and from \$20,000 to \$125,000 if the company has more than one location in the State. (04/09)
LA	HB 1133	04/26/2016 HB 1133 passed the House.	Miscellaneous Bond—Amusement Rides	HB 1133 would require owners or operators of an amusement attraction or amusement ride to provide either an insurance policy or surety bond for not less than \$1 million. The surety’s aggregate liability would not exceed the bond amount. (04/28)
MA	HB 4203	04/21/2016 HB 4203 is to the third reading in the House.	Financial Guaranty	HB 4203 provides that a financial guaranty company would be subject to the laws of the State in which it is domiciled for the limit on the amount of a single risk that it could insure. The bill provides that for the purposes of limits on a single risk, such companies are licensed in the Commonwealth and primarily issue insurance policies, surety bonds, indemnity contracts or any other similar guarantees under which loss is payable, upon proof of occurrence of a financial loss, to an insured. (04/19)
MD	HB 535/ SB 734	04/02/2016 HB 535/SB 734 have been sent to the Governor.	Miscellaneous Bond—Structured Settlement Transfers	HB 535/SB 734, as amended, would require structured settlement transferees to post a \$100,000 surety bond in connection with registration. Such entities acquire structured settlement payments through a transfer agreement. (04/02)
MD	HB 890	04/12/2016 HB 890 has been enacted.	Court Bond—Rental Property	HB 890 repeals procedures for obtaining possessions from a residence in St. Mary County for which the rent has not been paid and the property has been seized. The tenant had to post a bond in connection with these proceedings. With the repeal of the procedures, the bond has been eliminated as well. (04/14)
ME	SB 581	04/15/2016 SB 851 has been enacted.	Miscellaneous Bond—Driver Education Schools	SB 581 exempts noncommercial driver education schools from the existing law’s bond requirement for all such schools. Noncommercial schools include a public secondary school, an approved private secondary school, a career and technical education center, a career and technical education region, or an adult education program that offer driver education for course credit and do not charge a fee. (04/19)
MN	SB 1935/ HB 3047/ SB 2962	04/21/2016 SB 1935 passed out of committee in the Senate and	Public Official Bond	SB 1935/HB 3047/SB 2962 would establish procedures for closing a charter school in which the school’s trustee could be required to post a bond in an amount that is “reflective of the school's current condition and situation.” (04/21)

		<p>was referred to an additional committee.</p> <p>SB 2962/HB 3047 has not moved since last reported.</p>		
MN	HB 2478/ HB 3931	<p>04/26/2016 HB 2478 has passed out of committee in the Senate.</p> <p>04/27/2016 HB 3931 passed the House.</p>	Costs Bonds	HB 2478/HB 3931 would revise the costs bond requirement for appeals to the Workers' Compensation Court of Appeals so that the Court only would require it when a motion is filed showing extraordinary circumstances require one to be posted. Current law requires a costs bond for all appeals. (04/25)
MN	HB 2540/ SB 3007	<p>04/14/2016 HB 2450 passed the House.</p> <p>04/11/2016 SB 3007 passed out of committee in the Senate and was referred to an additional committee.</p>	Miscellaneous Bond— Fantasy Contest Operators	HB 2540/SB 3007, as amended, would require fantasy contest operators to adopt procedures for operating the contest that includes segregating the fantasy contest players' funds from its operational funds. The operator would have to maintain a reserve in the form of a bond or other security equal to the deposits in the fantasy contest players' accounts to secure the players' funds. (04/14)
MN	SB 2866/ SB 2793	<p>04/27/2016 SB 2793 passed the Senate.</p> <p>04/01/2016</p>	Permit Bond— Service Providers	SB 2866/SB 2793 would address invasive species in Lake Minnetonka. The bill would require service providers with zebra mussels attached to their water equipment that are returning the equipment to the lake to obtain a permit and post a \$50,000 surety bond that would be payable for violations of the law. (03/31)

		HB 2866 passed out of committee in the House.		
MN	SB 2835/ SB 2526/ HB 3211	04/04/2016 SB 2835 passed out of committee in the Senate and was referred to an additional committee. 04/11/2016 HB 3211 passed out of committee in the House and was referred to an additional committee. SB 2526 has not moved since last reported.	Miscellaneous Bond— Advance Deposit Wagering Providers	SB 2835/SB 2526/HB 3211 would authorize advance deposit wagering for on-track pari-mutuel betting on horse racing. The advance deposit wagering provider would have to provide a \$1 million surety bond to secure the payment of all applicable fees. (04/05)
MN	HB 3309/ SB 3175	04/07/2016 SB 3175 passed out of committee in the Senate. HB 3309 has not moved since last reported.	License Bond— Bullion Dealers	HB 3309/SB 3175 would revise the bond requirement for bullion dealers so that the bond would be required for dealers with transactions exceeding \$25,000. Under current law, the bond is required for all dealers and the amount is based on their volume of transactions starting from dollar one of their business transactions. (04/11)
MN	HB 3325	04/07/2016 HB 3325 passed out of committee	Miscellaneous Bond— Autonomous	HB 3325 provides for an autonomous vehicle technology demonstration project. Vendors providing the vehicle for testing in the demonstration project would have to provide insurance, a surety bond, or proof of self-insurance equal to \$5 million.

		in the House and was referred to an additional committee.	Vehicle Testing	(04/11)
MN	SB 3352/ HB 3698	04/04/2016 SB 3352 passed out of committee in the Senate and was referred to an additional committee.	Financial Responsibility—Railroads	SB 3352/HB 3698 would require railroads to file a financial responsibility plan that demonstrates their financial ability to pay for the environmental costs that may arise while the financial responsibility plan is in effect. Surety bonds or other security could be used as such evidence. (04/04)
MN	HB 3743	03/31/2016 HB 3743 has been introduced.	License Bond—Grain Buyers	HB 3743 would increase the amount of the license bond required for grain buyers. Current law requires a bond ranging from \$10,000 to \$150,000 based on the grain buyer's gross annual purchases. The bill would require a bond ranging from \$20,000 to \$250,000. The bill also would increase the bond amount for new grain buyers from \$50,000 to \$75,000 for the first year of licensure. The bill would eliminate the other forms of security that may be posted in lieu of a bond. (04/09)
MO	SB 578/ HB 2506	04/27/2016 SB 578 passed the House with amendments, sending it back to the Senate. HB 2506 has not moved since last reported.	Court Bond—Receivers	SB 578/HB 2506 provides that the bond required for a receiver under existing law would have to have one or more sureties that the court approves and that the court would determine the bond amount. The bond would be conditioned on the receiver faithfully discharging his or her duties in compliance with state law and the court's orders. The bill provides that the bond is required unless otherwise provided under state law or court rules. The bill would permit persons to post a bond to prevent property from an estate from being turned over to a receiver seeking it through a court hearing. The bond would have to be equal to twice the value of the property. (04/28)
MO	SB 698	04/28/2016 SB 698 passed out of committee in the House.	Public Official Bonds	SB 698 would require candidates for county public administrator to provide an affidavit from a surety company, indicating that the candidate meets the bond requirements for the office. (04/29)
MO	HB 1589/ HB 2307/	04/27/2016 HB 1589 passed	Miscellaneous Bond—	HB 1589/HB 2307/SB 609 would establish the Missouri Empowerment Scholarship Accounts Program to provide scholarship funds to parents of children with disabilities

	SB 609	<p>out of committee in the House.</p> <p>04/13/2016 HB 2307 passed out of committee in the House.</p> <p>SB 609 has not moved since last reported.</p>	Educational Assistance Organizations	to attend a private school. Educational assistance organizations must post a surety bond if they receive more than \$50,000 in scholarship funds. The bond would have to be equal to the aggregate amount of scholarship funds expected to be received during the school year. Parents receiving funds also could have to post bonds. (04/21)
MO	HB 2213	<p>04/21/2016 HB 2213 passed the House.</p>	License Bond— Medical Marijuana Businesses	HB 2213 would authorize the use of medical marijuana. The bill would require would require medical cannabis centers and medical cannabis cultivation and production facilities to be licensed and post a \$25,000 surety bond conditioned on the licensee reporting and paying all sales and use taxes due to the State. (04/25)
MO	HB 2590	<p>04/26/2016 HB 2590 passed out of committee in the Senate and has been placed on the Senate Informal Calendar.</p>	Uniform Commercial Code	HB 2590 would revise the definition of surety in the Uniform Commercial Code to add the phrase "other secondary obligor" to the existing definition of "guarantor." (04/28)
MS	HB 1189	<p>04/11/2016 HB 1189 has been enacted.</p>	Public Official Bonds	HB 1189 repeals the \$5,000 bond required for information confidentiality officers and requires liability insurance instead. (04/14)
NE	LB 881	<p>04/07/2016 LB 881 has been enacted.</p>	Performance Bond— Energy Conservation Contracts	LB 881 revises the amount of the performance bond required in connection with an energy conservation contract so that it covers the total cost of the implementation, installation, or construction of the conservation measures. Prior law required it to cover the design, installation, modification, commissioning, maintenance, and financing of such measures. (04/09)

NJ	SB 2040/ AB 1357	04/18/2016 SB 2040 has been introduced. AB 1357 has not moved since last reported.	Miscellaneous Bond— Grease Recycling Business	SB 2040/AB 1357 would require grease recycling businesses to register and post a surety bond or other form of financial assurance. The bond or other security would have to be in an amount that is sufficient to remediate environmental or health harms that are caused by noncompliant disposal, dumping, or other release of grease. The Department of Environmental Protection would determine the amount. (04/21)
NJ	AB 3532/ SB 1927	04/04/2016 AB 3532 has been introduced. SB 1927 has not moved since last reported.	Miscellaneous Bond— Fantasy Contest Operators	AB 3532/SB 1927 would require fantasy contest operators to adopt procedures for operating the contest that includes segregating the fantasy contest players' funds from its operational funds. The operator would have to maintain a reserve in the form of a bond or other security equal to the deposits in the fantasy contest players' accounts to secure the players' funds. (04/12)
NY	SB 5949	04/14/2016 SB 5949 has been enacted.	License Bonds— Combative Sports Matches and Wrestling Promoters	SB 5949 requires persons applying for a license to conduct combative sports matches to post a surety bond conditioned on compliance with the applicable laws and regulations. An additional bond will be required to secure the payment of professional combative sports participants' purses, salaries of club employees licensed by the State Athletic Commission (Commission), and the legitimate expenses of printing tickets and all advertising material. The Commission will determine the amount required for these two bonds. The new law also requires promoters for a professional wrestling match to post a minimum \$20,000 bond conditioned on the payment of professional wrestler's purses, salaries of club employees, the legitimate expenses of printing tickets and all advertising material, payments to sponsoring organizations, and the applicable state and local taxes. (04/19)
NY	SB 6409	04/13/2016 SB 6409 has been enacted.	Tax Bond— Motor Fuel Wholesalers	SB 6409 authorizes the Commissioner of Taxation and Finance (Commissioner) to require motor fuel wholesalers to post a surety bond in connection with registration in amount as the Commissioner requires to secure the wholesaler's compliance with the applicable law. The Commissioner also may require additional bonds or other security if necessary. (04/15)

NY	SB7151	03/31/2016 SB 7151 has been introduced.	Miscellaneous Bond—Wage Penalties	SB 7151 would require contractors to register and would establish penalties for failing to comply with the labor laws for public works projects, which could include posting a surety bond as a condition of registration. The bond would be for the benefit of workers suffering damages from the contractor’s failure to pay wages or benefits, or for any other labor law violation. The Commissioner of Labor would determine the bond amount, but it could not exceed \$10,000 per worker. (04/09)
NY	Multiple Bills	See Summary	Costs Bond	Each year, New York introduces several bills that would require a bond in connection with review processes for tax assessments made by local authorities. Anyone who disputes the tax or seeks a refund is required to deposit an amount equal to the tax and any penalties due, along with a surety bond from a state-licensed surety for the costs of the proceeding. The petitioner has the option of posting a bond in the amount of the taxes, including interest and penalties, in addition to the costs bond. Anyone disputing a denied refund claim is subject to the same bond requirements described above. The following bills have been introduced since the last report: <i>Hotel Occupancy Tax:</i> SB 7152 (Village of Port Chester)—Introduced; SB 7153/AB 9690 (Village of Tuckahoe)—Introduced; SB 7154 (Village of Mamroneck)—Introduced; AB 9691 (Town of North Castle)—Introduced.
OH	HB 432	04/13/2016 HB 432 passed out of committee in the House.	Court Bond—Guardians	HB 432 would permit a guardian of the estate to sell, exchange, re-exchange, or otherwise dispose of any parcel of real estate belonging to the estate of a ward with the consent from those with the right to inherit the estate. The guardian would have to post a bond or additional bond in an amount that the court considers sufficient, based on the amount of the real property, its appraised value, the guardian’s original bond, and the distribution of the proceeds of the sale. (04/14)
OK	SB 1069	04/27/2016 SB 1069 has been sent to the Governor.	Public Official Bonds	SB 1069 would direct the Office of Management and Enterprise Services to take any action necessary to assist the Office of Juvenile Affairs in operating a charter school, including authorizing surety bond requirements in accordance with the current law for school officials. The law requires superintendents and financial officers for a school to post a \$100,000 bond. (04/29)
OK	SB 1341	04/05/2016 SB 1341 has been enacted.	Appeal Bond	SB 1341 requires an appeal bond to be posted for any appeal from any action, decision, ruling, judgment or order of the Board of Adjustment. (04/09)

OR	HB 4121	04/14/2016 HB 4121 has been enacted.	License Bond— Contractors	HB 4121 revises the claims process for a construction contractor's license bond by providing for a mediation process between the contractor and the claimant. If the mediation process does not resolve the dispute, the claimant only may obtain payment from the bond through a judgment from a court of competent jurisdiction or an arbitration award that has been reduced in court to a final judgment under the new law. For wage and benefit claims, the claimant may obtain a final order from the Bureau of Labor and Industries. The new law prohibits including attorney's fees in final order or final judgment. (04/09)
RI	SB 2879/ HB 7905	04/14/2016 SB 2879 has been held in committee in the Senate for study. 04/26/2016 HB 7905 has been held in committee in the House for study.	Court Bond— Receivers	SB 2879/HB 7905 would adopt the Uniform Commercial Real Estate Receivership Act. Receivers would be required to post a surety bond or other security in an amount the court determines to secure the faithful performance of their duties. Claims on the bond would have to be brought within one year of the date the receiver is discharged. (04/09)
SC	SB 771	04/06/2016 SB 771 has passed the Senate.	License Bond— Recreational Vehicle Dealers	SB 771 would require recreational vehicle dealers to post a \$30,000 license bond conditioned upon compliance with the applicable law. The bond would indemnify a recreational vehicle owner for loss or damage suffered due to the dealer or his or her agent committing fraud or making a fraudulent representation during a sale or transfer of the vehicle, or loss or damage suffered due the dealer or his or her agent's violation of the law. The bill would permit direct actions on the bond. (04/09)
SC	SB 1205/ HB 5174	04/27/2016 SB 1205 passed the Senate. 04/12/2016 HB 5174 has been introduced.	Public Official Bonds	SB 1205/HB 5174 would increase the bond required for enforcement officers for the Department of Natural Resources from \$1,000 to not less than \$2,000. The bill would permit the bond to be an individual, schedule, or blanket bond. (04/22)

SC	HB 4090	04/19/2016 HB 4090 passed out of committee in the Senate.	License Bond— Pawnbrokers	HB 4090 would increase the bond amount required for pawnbrokers from \$5,000 to \$15,000 and would eliminate the option for two responsible sureties to issue the bond so that the bond only could be issued by a surety company licensed in the State. The bill would eliminate the option to post a letter of credit, a certificate of deposit, or other form of financial responsibility. (04/21)
TN	SB 1980	04/12/2016 SB 1980 has been enacted.	License Bond— Recreational Vehicle Dealers	SB 1980 establishes a separate regulatory scheme for recreational vehicle dealers, which currently are subject to the existing law for motor vehicle dealers. The new law includes a license bond requirement for RV dealers, which mirrors the current license bond requirements for motor vehicle dealers. The RV dealer must post a \$50,000 surety bond or certificate of deposit to secure its obligations. (04/15)
TN	HB 2660	04/27/2016 HB 2660 has been enacted.	Public Official Bond	HB 2660 revises the charter for Shelbyville. The new law requires the city manager and every officer, agent or employee, who receive, have custody, handle or disburse money to be covered under an individual or blanket fidelity bond in the amount the city council requires. Citizen members of the Shelbyville Power, Water and Sewerage System Board must post a \$5,000 surety bond. (04/29)
VA	HB 775/ SB 646	04/06/2016 HB 775/SB 646 have been enacted.	Miscellaneous Bond	HB 775/SB 646 requires fantasy contest operators to adopt policies and procedures for operating the contest that includes segregating the fantasy contest players' funds from its operational funds. The policy must include maintaining a reserve through a bond or other security in the amount of the deposits in the players' accounts. The bond or other security is for the benefit and protection of the players' funds. (04/11)
WI	SB 434	04/14/2016 SB 434 has been enacted.	Tax Bond— Wood Products	SB 434 repeals the bond required in connection with a tax on cutting merchantable wood products on forest croplands. Prior law authorized the Department of Natural Resources to require a surety bond or other security in an amount that it determines will secure the payment of the tax. (04/19)