

**THE SURETY & FIDELITY ASSOCIATION OF AMERICA**

**MEMORANDUM**

**TO:** Government Affairs Advisory Committee

**FROM:** Daniel Wanke

**RE:** Commercial Surety Legislation

**DATE:** February 9, 2016

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There are 42 states and the District of Columbia in session. In all states except New Jersey and Virginia, the 20156 sessions are the second year of a two-year session. The following report compiles and summarizes the fidelity bond legislation that SFAA is tracking as of February 1, 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](http://www.surety.org).

<b>Jurisdiction</b>	<b>Bill(s)</b>	<b>Recent History</b>	<b>Issue</b>	<b>Description</b>
AK	SB 152/ HB 271	01/21/2016 SB 152/HB 271 have been introduced.	License Bond— Money Transmitters  License Bond— Currency Exchanges	SB 152/HB 271 would revise the license bond amount for money transmitters, which currently must be for \$25,000, plus \$5,000 per location, up to a maximum of \$125,000. The bond currently can be increased to \$500,000 based on the licensee's financial condition. The bill would require a bond in an amount ranging from \$25,000 to \$1 million as the Department of Commerce, Community, and Economic Development determines. The bill would eliminate the authorization to provide other forms of security in lieu of surety bonds. The bill also would subject currency exchanges to this bond requirement. (01/22)
AK	HB 248/ SB 131	01/19/2016 HB 248/SB 131 have been introduced.	Tax Bond—Liquor	HB 248/SB 131 would revise the tax bond requirement for brewers, distillers, bottlers, jobbers, wholesalers, and manufacturers of alcohol, which currently must be for \$25,000. The bill would direct the Department of Revenue to determine the amount required instead. (01/20)

AZ	SB 1227	01/28/2016 SB 1227 has been introduced.	Court Bond— Seized Animal	SB 1227 would increase the amount of the bond required from an owner of an animal in connection with the animal’s seizure in an animal cruelty case from \$25 per animal to \$250 per animal. The bond secures the cost of care for the animal. (01/29)
AZ	SB 1306	01/26/2016 SB 1306 has been introduced.	Miscellaneous Bond—Developers	SB 1306 would revise the existing law concerning the development fees that a county may charge so that the developer would have to provide a surety bond or other security if the fees will be paid after the construction permits are issued. The law authorizes the county to charge the fees to offset the costs of the public infrastructure required for the development. (01/26)
AZ	SB 1380	01/28/2016 SB 1380 has been introduced.	Miscellaneous Bond—Sales Concession Agreements	SB 1380 would repeal the existing law setting forth requirements for concessionaire agreements with the Arizona Exposition and State Fair Board to sell alcoholic beverages. A surety bond is required in connection with the agreement under this law. (02/01)
AZ	HB 2267	01/21/2016 HB 2267 has been introduced.	Tax Bond—Out of State Contractors	HB 2267 would repeal the bond requirement for out of state contractors, which is required under current law. The bond must be for a minimum of \$2,000 and must be in an amount sufficient to ensure payment of the taxes. (01/22)
AZ	HB 2348	01/25/2016 HB 2348 has been introduced.	Appeal Bond	HB 2348 would require an appeal bond or other security to be posted in connection with an appeal to review a motor vehicle manufacturer or distributor’s protest of a new motor vehicle dealer’s established retail rates for labor and warranty charges for parts of a motor vehicle. The bond would have to be in an amount to cover the damages that the prevailing party incurs, but it cannot be for more than \$50,000 or 10% of the appealing party’s net worth, whichever is less.
CO	SB 36	01/13/2016 SB 36 has been introduced.	Appeal Bond	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. (01/14)
CO	SB 69	01/19/2016 SB 69 has been introduced.	Miscellaneous Bond— Community Paramedicine Agencies	SB 69 would regulate community paramedicine agencies and community paramedics, which are certified emergency medical service providers who provide community-based, out-of-hospital medical services. The bill provides for the adoption of rules for community paramedicine agencies, which must include a requirement for general liability insurance or a surety bond. (01/20)

CO	HB 1013	01/28/2016 HB 1013 has been reported from committee in the House.	Public Official Bonds	HB 1013 would permit a school district to obtain crime insurance in lieu of the surety bond required under current law for its officers and employees handling or having custody of school district funds. (01/14)
CO	HB 1041	01/28/2016 HB 1041 has been reported from committee in the House.	License Bond— Marijuana Businesses	HB 1041 would repeal the license bonds require for medical marijuana retailers, retail marijuana businesses, and retail marijuana cultivation facilities. The bond secures the payment of the taxes on the marijuana. The bill’s findings cite the lack of availability in the market for the bond, which may be due to the federal ban on marijuana. (01/14)
CO	HB 1129	01/20/2016 HB 1129 has been introduced.	Miscellaneous bond—Paid Solicitors for Charities	HB 1129 would require paid solicitors for a charitable organization to post a \$25,000 surety bond or other security to secure their compliance with the applicable laws and that they do not commit any fraud or make fraudulent representations. Sureties would not have to pay a claim until the claimant obtains a determination of fraud from the Secretary of State or a court of competent jurisdiction. (01/21)
FL	HB 191/ SB 318	01/27/2016 HB 191 passed the House.  01/25/2016 SB 318 has been reported from subcommittee in the Senate.	Financial Assurance—High Pressure Stimulation Wells	HB 191/SB 318 would subject high pressure well stimulation operations to the existing law for geophysical exploration, drilling, and production, which requires a form of financial security in connection with obtaining a permit for the operation. Surety bonds, among other forms of security, are accepted to meet this requirement. (01/28)
FL	HB 437	01/25/2016 HB 437 has been reported from committee in the House and is on the House calendar.	Appeal Bond	HB 437 would repeal the existing law’s procedures for an appeal of a final order granting a certificate of need for a general hospital. A \$1 million appeal bond is required under the law, which would be eliminated along with the appeal procedures. (01/13)

FL	HB 473/ SB 854	02/02/2016 HB 437 is on the agenda in committee in the House for 02/04/2016.  02/02/2016 SB 854 is to the third reading in the Senate.	Miscellaneous Bond—Pre-Need Cemetery and Funeral Sales	HB 473/SB 854 would repeal the bond requirements for pre-need cemetery and funeral merchandise sellers by eliminating the option to post a bond, letter of credit, or other security. Current law permits the seller to furnish a surety bond or letter of credit in lieu of depositing the funds received from a pre-need funeral contract into a trust fund. Existing bonds would remain in effect under the new law, but no new contracts could be added to them. The bill also would eliminate an exemption from the preneed sales license requirement for Florida companies acting as a servicing agent. The law requires such agents to have a \$50,000 blanket fidelity bond. With the elimination of the exemption, the fidelity bond requirement would be eliminated as well. (02/02)
FL	HB 641	02/02/2016 HB 641 has passed out of subcommittee in the House.	Release of Lien Bond	HB 641 would revise the current lien law to permit a lien holder for a motor vehicle to post a bond to recover a vehicle from a motor vehicle repair shop. Current law only specifies that a customer may post the bond. (01/26)
FL	SB 672	01/21/2016 SB 672 has been enacted.	Miscellaneous Bond—Scholarship Organizations	SB 672 revises the current bond requirement for nonprofit scholarship funding organizations participating in a state scholarship program to provide that the bond secures the organization's compliance with the applicable law. The new law requires the bond to specify that claims could be made only by an eligible organization on behalf of students so that it can provide scholarships to those students who would have had their scholarships funded were it not for the diversion of funds that gave rise to the claim. (01/22)
FL	HB 707/ SB 832	01/27/2016 HB 707 has been substituted in committee in the House.  02/02/2016 SB 832 has been substituted in	Miscellaneous Bond—Fantasy Sports Games	HB 707/SB 832 would require fantasy game operators to adopt procedures for the operation of the contest that includes segregating the fantasy contest players' funds from its operational funds. The policy would have to include maintaining a reserve in the form of a bond or other security equal to the deposits in the fantasy game players' accounts. (01/28)  SB 832, as amended, also would require fantasy game operators to provide a \$1 million license bond. (02/01)

		committee in the Senate.		
FL	SB 800	01/27/2016 SB 800 is pending review in subcommittee in the Senate.	School Bond	SB 800 would require nonpublic postsecondary educational institutions seeking a provisional license to post a surety bond, cash deposit, or an irrevocable letter of credit for at least \$100,000. The bond amount could not exceed 50% of the institution's first year of projected revenue. The bond would be payable to the Commission for Independent Education (Commission) for the benefit of students damaged by an institution ceasing operation before the student completed his or her contracted program. (01/29)
FL	SB 852	SB 852 has been introduced.	License Bond— Marijuana Businesses	SB 852 would require medical marijuana cultivation and processing licensees to post a \$1 million "performance and compliance bond." Medical marijuana retail licensees would be required to post a \$1 million "performance and compliance bond" per retail license. The bonds would be forfeited if the licensee fails to maintain its license for the licensure period or fails to comply with the applicable law and regulations during the licensure period. (01/13)
FL	HB 937	01/21/2016 HB 937 has been substituted in subcommittee and referred to an additional committee in the House.	Public Official Bond.	HB 937 would create the Tierra Verde Fire Control and Rescue District and would require the members of its board of commissioners to post a bond to secure the faithful performance of their duties.(01/23)
FL	HB 1053	02/02/2016 HB 1053 has been substituted in subcommittee and referred to an additional subcommittee in the House.	School Bond	HB 1053 would require nonpublic postsecondary educational institutions to post a surety bond or other security for at least \$20,000 for a provisional license. The bond could not exceed 50% of the institution's first year of projected revenue. The bond would be for the benefit of students damaged by an institution ceasing operation before the student has completed a program. The institution would not be required to post the bond after the first year if it can demonstrate financial stability. (02/03)

FL	SB 1136	01/12/2016 SB 1136 has been introduced.	School Bond	SB 1136 would require a charter school to post a performance bond in an amount equal one half of the school's projected operating funds. The bill provides that the bond would be invoked if the charter school defaults on any of its financial obligations with the school's sponsor. (01/13)
FL	HB 1183	01/12/2016 HB 1183 has been introduced.	License Bond— Marijuana Businesses	HB 1183 would require medical marijuana cultivation and processing licensees to post a \$5 million “performance and compliance bond.” Medical marijuana retail licensees would be required to post a \$1 million “performance and compliance bond” per retail license. The bill provides for the forfeiture of these bonds if the licensee fails to maintain a license or comply with the applicable laws and regulations. (01/11)
FL	HB 1211/ SB 1604	01/28/2016 HB 1211 has been substituted in subcommittee and referred to an additional subcommittee in the House.  01/27/2016 SB 1604 has been substituted in subcommittee in the Senate.	Miscellaneous Bond—Wholesale Drug Distributors	HB 1211/SB 1604 would revise the amount of the bond or other security required for prescription drug wholesale distributors, which currently must be \$100,000. The bill would require the bond to be for \$100,000 if the distributor has more than \$10 million in annual gross receipts in the previous tax year. If the distributor's annual gross receipts are \$10 million or less in the previous tax year, the bond would have to be for \$25,000. (01/28)
FL	HB 1255	01/12/2016 HB 1255 has been introduced.	School Bond	HB 1255 would require a charter school sponsored by a municipal governing authority to furnish a surety bond annually for the first three years of operation. The bond would have to be in an amount equal to the amount of public funding the charter school receives during the fiscal year, not to exceed \$500,000. Charter schools replicated from an existing high-performing charter school operating in Florida would be exempt from the bond requirement. (01/14)

FL	HB 1339	02/02/2016 HB 1339 is on the agenda in committee in the House for 02/04/2016.	Public Official Bonds	HB 1339 would set forth a charter for the City of Webster and would require the city council members to be bonded if required by ordinance. (01/27)
FL	SB 1392/ SB 1394  HB 7061	02/02/2016 SB 1392/SB 1394 have been substituted in committee in the Senate.  02/03/2016 HB 7061 passed the House.	Miscellaneous Bond— Autonomous Vehicle Technology	SB 1392/SB 1394 would require owners and operators of tractor-semitrailer combinations of two trucks that are equipped with driver-assistive truck platooning technology to provide insurance, a surety bond, or self-insurance acceptable to the department in the amount of \$1 million.  SB 1394 also would repeal an existing law for testing vehicles with autonomous vehicle technology on state roads, which includes a requirement for the testing entity to provide insurance, a surety bond, or self-insurance.  HB 7061 would require manufacturers of driver-assistive truck platooning technology to provide insurance, a surety bond, or proof of self-insurance acceptable to the department in the amount of \$5 million in connection with testing the technology. (02/01)
GA	255	01/12/2016 SB 255 has been introduced.	Court Bond— Wage Garnishment	SB 255 would rewrite the current law concerning proceedings for the garnishment of wages. The bill eliminates the bond requirement from the current law 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. The bill would require the defendant to post a bond if he or she appeals a decision. The bond would have to be equal to twice the amount claimed due. (01/12)
GA	SB 264	01/28/2016 SB 264 has been substituted in committee in the Senate.	License Bond— Parimutuel Wagering	SB 264 would authorize parimutuel wagering for horseracing. The bill would require racetrack owners and operators, advance deposit account wagering operators, and satellite facility owners to be licensed and post a surety bond or letter of credit in an amount that the Division of Horse Racing would determine to cover any indebtedness incurred by the licensee. (01/29)

GA	283	01/22/2016 SB 283 has been introduced.	Depository Bonds	<p>SB 283 would set forth separate security requirements for covered depositories holding public funds. Covered depositories would have to 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 due to the default of other depositories in the pool. The aggregate amount of the surety bond and other security would have to be equal to a percent of the public funds being secured, less the amount of deposit insurance.</p> <p>Covered depositories are those whose assets exceed \$50 billion according to their reports filed with the FDIC who have qualified to be a depository for state funds or those depositories with assets less than \$50 billion according to their FDIC reports who are qualified to be a depository for state funds and also participate in a multibank pooled method to secure its deposits. (01/25)</p>
GA	HB 811	01/25/2016 HB 811 has been introduced.	Public Official Bonds	<p>HB 811 would repeal the bond requirement for the Commissioner of the Department of Banking and Financial Institutions, as well as for the Departments deputy commissioner and examiners. The commissioner must post a \$50,000 bond and the deputy commissioner and examiners must post a \$10,000 bond. Instead, these officials would have to file a written oath that includes the conditions that the bond currently secures. (01/25)</p>
GA	HB 818	01/25/2016 HB 818 has been introduced.	Miscellaneous Bond—Worker's Compensation Self-Insurers	<p>HB 818 would revise 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 bill 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. (01/25)</p>
GA	HB 856	01/27/2016 HB 856 has been introduced.	Public Official Bonds	<p>HB 856 would increase the bond amount required for probate court judges from \$25,000 to \$100,000. (01/31)</p>



GA	HB 876	01/28/2016 HB 876 has been introduced.	License Bond— Livestock Dealers and Auctioneers	HB 876 would revise the bonding requirements for livestock dealers and auction operators to permit a letter of credit, certificate of deposit, or “other written instrument” to be furnished in lieu of the bond. The bill also would delete the amounts specified for the bond required for a livestock auction operator and for dealers purchasing livestock at auction. Instead, the amount of the bond or other security would be determined through a memorandum of agreement with the Department of Agriculture. (01/30)
HI	HB 1838/ SB 2722	01/25/2016 HB 1838/SB 2722 have been introduced.	Miscellaneous Bond—Fantasy Sports Games	HB 1838/SB 2722 would require 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 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 and would secure the players' funds. (01/25)
HI	SB 2252/ HB 2619	01/22/2016 SB 2252/HB 2619 have been introduced.	Miscellaneous Bond—Planned Communities	SB 2252/HB 2619 would authorize the Hawaii Real Estate Commission to adopt regulations requiring a developer for a planned community to provide bonding, escrow of the sales proceeds, or other safeguards to assure the completion of all the improvements that the developer is obligated or has promised to complete. (02/01)
HI	HB 2321/ SB 2850	01/27/2016 HB 2321 has been introduced.  02/01/2016 SB 2850 has passed out of committee in the Senate with amendments.	License Bond— Mortgage Servicers	HB 2321/SB 2850 would revise the license bond requirement for mortgage loan servicers to provide that the bond covers the applicant or licensee instead of covering the applicant or the licensee's principal office and any branch office from which the applicant or licensee acts as a mortgage servicer. (02/03)
HI	HB 2381	01/25/2016 HB 2381 has been introduced.  02/01/2016 SB 2910 is scheduled to be heard in committee	Public Official Bonds	HB 2381/SB 2910 would increase the bond required for the members of the Time Share Commission of Deeds from \$1,000 to \$10,000. HB 960/HB 1219/SB 1129 are identical carryover bills. (01/27)

		in the Senate on 02/05/2016.		
HI	HB 2608/ SB 2784	01/27/2016 HB 2608/SB 2784 have been introduced.	License Bond— Check Cashers	HB 2608/SB 2784 would require check cashers to register and post a surety bond or other security for \$25,000 per location in the State. The bond would secure the payment of any costs or expenses owed to the State and amounts owed to claimants for violations of the check cashier's business obligations. The bill would permit direct actions on the bond, but the surety's aggregate liability would be limited to the bond amount. The bill would permit the surety to cancel the bond with 30 days' notice. The Director could require the bond to be in place for up to one year after the check cashier ceases operations in the State. (01/28)
HI	SB 3127/ HB 2652	01/27/2016 HB 2652/SB 3127 have been introduced.	Miscellaneous Bond— Scholarship Funding Organizations	SB 3127/HB 2652 would establish a scholarship program for students with disabilities. The bill would require scholarship funding organizations to post a surety bond or letter of credit equal to 25% of the scholarship funds anticipated for each school year, or \$100,000, whichever is greater. For renewal, the bond would have to be adjusted to be equal to the amount of undisbursed donations the organization holds based on the annual report and it could not be less than \$100,000 or more than \$25 million. The bill provides for an exemption from the bond requirement for Hawaii's nonprofit universities that the Western Association of Schools and Colleges has accredited, or if the cost of acquiring a surety bond or letter of credit exceeds the average 10-year cost of acquiring a surety bond or letter of credit by 200%. The bond would have to specify that claims could be made only by an eligible organization on behalf of students so that it can provide scholarships to those students who would have had their scholarships funded were it not for the diversion of funds that gave rise to the claim. (01/28)
HI	HB 2699	01/27/2016 HB 2699 has been introduced.	School Bond	HB 2699 would require unaccredited post-secondary education institutions to register and post a surety bond. The bill does not provide for a bond amount, but currently has a blank space as a placeholder for a proposed amount to be filled in. (01/29)
IA	HB 2015	01/13/2016 HB 2015 has been introduced.	Miscellaneous Bond— Scholarship Program	HB 2015 would establish the scholarship program to provide assistance to students attending nonpublic schools whose parents are in the military. The bill provides that the Director of the Department of Management would be authorized to procure insurance against any loss in connection with the assets of the military family scholarship fund or require a surety bond. (01/20)

ID	HB 376	02/02/2016 HB 376 is to the third reading in the House.	Tax Bond— Cigarettes	HB 376 provides that the bond required for cigarette wholesalers would have to be equal to twice the estimated average tax liability for the reporting period for which a return must be filed, or the value of stamps in the wholesaler's inventory including those ordered but not yet received, whichever is greater. The law requires the bond to be equal to at least the average tax liability. The bill would repeal the \$1,000 minimum bond amount. The bill would permit the wholesaler to pay for the stamps. (01/27)
ID	SB 1197	01/28/2016 SB 1197 has passed the Senate.	Reclamation Bonds—Surface Mining Operations	SB 1197 would increase the maximum amount of the performance bond required to secure the reclamation of a surface mining site from \$2,500 per acre to \$15,000 per acre. The bill also would require the State Board of Land Commissioners to issue a written notice of a rejection of an application for bond release that explains the reasons for the rejection. (01/20)
IL	HB 4492	01/22/2016 HB 4492 has been introduced.	Court Bond—Civil Penalties	HB 4492 would require a person seeking judicial review of a final order imposing civil penalties for violations of a sanitary district's requirements for the discharge sewage, industrial waste, or other wastes into its sewerage system or into any sewer tributary to post a bond or deposit an amount equal to the penalties into an escrow account. The bond would secure the payment of the civil penalties.
IN	SB 11/ SB 184/ HB 1407	01/26/2016 SB 11 passed the Senate.  01/06/2016 SB 184 has been introduced.  01/28/2016 HB 1407 has passed out of committee with amendments in the House.	Public Official Bonds	SB 11/SB 184/HB 1407 would create the Achieving a Better Life Experience Authority (ABLE) that would run a program in which a person may make contributions for a taxable year for the benefit of an eligible individual with a disability. The bill would require ABLE's chairperson, vice chairperson, manager, any elected officer or ABLE member authorized to handle funds or sign checks to post a \$100,000 bond conditioned on the faithful performance of the duties of office. (01/29)

IN	SB 94	01/05/2016 SB 94 has been introduced.	Public Official Bonds	SB 94 would establish the Office of the State Controller as of January 1, 2023. The State Controller would be required to post a bond in an amount that the Governor will determine. The Chief Deputy State Controller and any other Deputy State Controller would have to post a bond in an amount the State Controller and Governor would determine and conditioned on the faithful performance of the duties of office. (01/04)
IN	SB 209	01/06/2016 SB 209 has been introduced.	Public Official Bonds	SB 209 would require the commissioners of the Department of Marijuana Enforcement to post a \$10,000 surety bond conditioned on the faithful discharge of their duties. The bill would create this new agency to regulate a proposed medical marijuana program.(01/07)
IN	SB 339/ HB 1168	02/01/2016 SB 339 is to the third reading in the Senate.  01/28/2016 HB 1168 passed out of committee in the House.	Miscellaneous Bond—Fantasy Sports Contests	SB 339/HB 1168 would require 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 would have to include maintaining a reserve through a bond or other security in the amount of the deposits in the players' accounts for the protection of the players' funds. (01/30)
IN	SB 353	02/01/2016 SB 353 has passed the Senate.	License Bond— Civil Justice Funding Companies	SB 353 would require civil justice funding companies to register and post a surety bond or an irrevocable letter of credit in an amount not more than \$50,000. The bond would secure the company's compliance with the applicable laws. (01/27)
IN	HB 1133	01/07/2016 HB 1133 has been introduced.	Appeal Bond	HB 1133 would establish penalties for public utilities whose violations or failures to comply with the applicable law, rules, or rate service requirements from the Indiana Utility Regulatory Commission. The public utility could appeal the enforcement order and stay the imposition of the penalty by posting a bond that complies with the existing appellate procedures. (01/07)
IN	HB 1311	01/12/2016 HB 1311 has been introduced.	School Bond	HB 1311 would establish an education savings account program as part of a school choice program for students with disabilities. Private entities participating in this program that anticipate receiving \$50,000 or more from these accounts during the school year would be required to post a surety bond equal to the amount expected to be paid from the accounts during the school year. In lieu of the bond, the private

				entity could provide financial information demonstrating it can repay this amount. (01/13)
IN	HB 1318	01/12/2016 HB 1318 has been introduced.	Miscellaneous Bond—Tax Sale	HB 1318 would require a third party seeking to enter into a real estate transaction with a property owner for a property involved in a tax sale before the disbursement of the tax sale surplus fund to post a \$25,000 surety bond for the benefit of persons damaged by a violation of the law for the transaction. (01/13)
IN	HB 1344	01/25/2016 HB 1344 passed the House.	Public Official Bonds	HB 1344 would eliminate the Indiana Unemployment Insurance Board, which would include a repeal of a provision authorizing the Board to require its officials handling its money or securities to be bonded. (01/20)
IN	HB 1372	01/26/2016 HB 1372 has passed the House.	Public Official Bonds  Cumulative Liability	<p>HB 1372 would revise the bond requirements for public officials by eliminating the requirement to provide a bond annually that provides separate coverage each year. The bill would allow for the use of a multiyear annual renewal bond if it is renewed on an annual basis as a continuous bond throughout the period during which the individual serves in the office or position for which a bond is required and provides coverage in the amount required for the individual covered under the bond for each policy year. The bond would have to provide coverage for one year instead of having a term of one year.</p> <p>The bill would provide that the bond requirement in existing law for individuals who are employees or contractors of a city, town, county, or township and handle funds that belong to the federal government, the state, a political subdivision, or another governmental entity only would apply if the funds handled exceed \$5,000. The bill provides that the bond required for the treasurer of each school corporation, a deputy treasurer, and any individual whose official duties include handling funds that belong to a school corporation or its governing body only would apply if the amount handled exceeds \$100 at any one time.</p> <p>The bill would permit the fiscal body of a city, town, county, or township to purchase a schedule bond covers all officers, employees, and contractors who are required to post a bond to secure the faithful performance of their duties. The bill would require the crime insurance that may be purchased in lieu of bonds to cover faithful performance of the insureds and include aggregate coverage sufficient to provide for</p>

				the amount required. The bill would provide a definition for the term “contractor,” which is undefined in current law for the bond requirements. (01/20)
KS	SB 369	01/29/2016 SB 369 is scheduled to be heard in committee in the Senate on 02/03/2016.	License Bond— Mortgage Companies	SB 369 would revise the bond requirement for mortgage companies without a bona fide office in the State so that the claims provisions are the same as the bond requirements for licensees with a bona fide office in the State. The bill would subject out of state licensees to a provision prohibiting termination of the bond from affecting the surety's liability for violations of the applicable law occurring prior to the effective date of cancellation as well as a two year tail on the bond. (01/28)
KY	HB 31	01/05/2016 HB 31 has been introduced.	Miscellaneous Bonds—Marriage Licenses	HB 31 would eliminate the \$100 bond required to obtain a marriage license for persons under age 18 but over age 16 when the clerk does not personally know the parties seeking the marriage license. (01/11)
KY	SB 103	01/15/2016 SB 103 has been introduced.	Court Bond— Estates	SB 103 would set 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 would have to 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. (01/19)
KY	SB 117	01/21/2016 SB 117 has been introduced.	License Bond— Pharmacy Benefit Managers	SB 117 would require pharmacy benefit managers to be licensed and post a \$1 million surety bond. (01/22)
KY	HB 190	01/07/2016 HB 190 has been introduced.	Court Bond— Patent Cases	HB 190 would prohibit bad faith assertions of patent infringement in lawsuits. If the court determined there is a reasonable likelihood that the person made the assertion in violation of this, the court would have to require the person to post a bond. The bond would have to be equal to a good faith estimate of the target’s costs of the lawsuit and amounts likely to be recovered, but not more than \$250,000. The bond would be conditioned upon payment of any amounts due to the target of the lawsuit. (01/11)
MA	SB 2037	01/20/2016 SB 2037 has been enacted.	Public Official Bonds	SB 2037 establishes a department of public works in the town of Plainville. The director of the department must post a surety bond to secure the faithful performance of his or her duties. The Town Administrator determines the bond amount. (01/26)

MD	SB 100	01/13/2016 SB 100 was scheduled to be heard in committee in the Senate on 01/28/2016.	License Bond— Farm Labor Contractors	SB 100 would repeal the state licensing requirement for farm labor contractors, which would include the repeal of the existing bond requirement. The Commissioner of Labor and Industry may require a bond or other security if the contractor has violated the applicable law or regulations in Maryland or in another state. (01/15)
MD	HB 171/ SB 231	01/21/2016 HB 171 was scheduled to be heard in committee in the House on 02/03/2016.  01/27/2016 SB 231 is scheduled to be heard in committee in the Senate on 02/09/2016.	Caps on Appeal Bonds	HB 171/SB 231 would revise the current cap on supersedeas bonds by providing a \$5 million cap for appellants who are individuals or independently owned and operated businesses or nonprofit organizations with not more than 250 full-time employees. The current cap on the bond amount for all appellants is \$100 million. (01/22)
ME	SB 581	12/18/2015 SB 581 has been introduced.	License Bond— Driver Education Schools	SB 581 would exempt 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. (01/07)
MO	SB 578	02/03/2016 SB 578 has been reported from committee in the Senate with amendments.	Court Bond— Receivers	SB 578 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. (01/22)
MO	HB 2307/ SB 609	01/06/2016 HB 2307/SB 609 have been introduced.  02/01/2016 HB 2063 has been in heard in committee in the House.	Miscellaneous Bond— Educational Assistance Organizations	HB 2307/SB 609 would establish the Missouri Empowerment Scholarship Accounts Program to provide scholarship funds to parents of children with disabilities 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. (01/21)
MO	SB 773	01/06/2016 SB 773 has been introduced.	License Bond— Electrical Contractor	SB 773 would require electrical contractor firms to comply with the bond requirements in each political subdivision in which he or she will perform work in connection with obtaining a statewide electrical contractor's license. (01/14)
MO	SB 785/ SB 882/ HB 1705	02/03/2016 SB 785 and SB 882 have been scheduled for a hearing in committee in the Senate.  02/03/2016 SB 882 is scheduled to be heard in committee in the Senate. 01/06/2016 HB 1705 has been introduced.	License Bond— Civil Litigation Funding Companies	SB 785/SB 882/HB 1705 would require civil litigation funding companies to post a surety bond or letter of credit for not more than \$50,000 only if the Department of Insurance, Financial Institutions and Professional Registration required it in connection with registration. The bond or letter of credit would secure the provider's compliance with the applicable law and regulations as well as payment of any money that becomes due to the State or a person. (12/10)



MO	SB 840	01/06/2016 SB 840 has been introduced.	Court Bond— Estates	SB 840 would revise the existing conditions under which a court may waive the bond required for the distributees of an estate if seeking the real property of the estate without waiting for the granting of letters testamentary or of administration. The court could waive the bond if the value of the estate is less than \$15,000, all distributees have waived the bond and proof of payment for the funeral bill has been submitted, a waiver of the bond for the funeral claim has been filed, or the funeral claim is prohibited by law. The bond secures payment of the decedent's final expenses, including the funeral and burial. (01/16)
MO	SB 877/ HB 1703	01/11/2016 SB 877/HB 1703 have been introduced.	Miscellaneous Bond— Professional Employer Organizations	SB 877/HB 1703 would repeal the current law for employee leasing companies and instead would establish a new law for a Professional Employer Organizations (PEO). The PEO would have to maintain a positive working capital, and if it cannot, it would have to provide a surety bond or other security in an amount sufficient to make up the deficiency, plus \$100,000. The bond would secure the PEO's payment of all taxes, wages, benefits, or other entitlements due to or with respect to covered employees. Employee leasing companies currently are required to post a bond equal to the contributions or payments in lieu of contributions for which the lessor employing unit was liable in the last calendar year in which he or she accrued them, or \$100,000, whichever is greater. The bill also contains provisions concerning employee coverage under insurance policies and bonds in connection with an employer's participation in a PEO. (01/13)
MO	HB 1385	01/06/2016 HB 1385 has been introduced.	License Bond— Navigators	HB 1385 would direct the Department Of Insurance, Financial Institutions and Professional Registration to adopt regulations that require navigators for the state health insurance exchange to provide a surety bond or other evidence of financial responsibility that protects all persons against the navigator's wrongful acts, misrepresentations, errors, omissions, or negligence. Existing law requires navigators to be licensed. (01/07)
MO	HB 1478	02/04/2016 HB 1478 passed the House.	Public Official Bond	HB 1478 would require the bond for the treasurer of a seven-director school district to be issued by one or more sureties instead of two or more sureties. (02/04)
MO	HB 1537	01/06/2016 HB 1537 has been introduced.	Public Official Bond	HB 1537 would establish the Missouri Universal Health Assurance Program (Program). The bill would require the executive director of the Program to post a surety bond to secure the faithful handling of all funds, securities, and property belonging to the Program. (01/07)

MO	HB 1888	01/06/2016 HB 1888 has been introduced.	School Bond	HB 1888 would establish an education savings account program as part of a school choice program. Private entities participating in this program that anticipate receiving \$50,000 or more from these accounts during the school year would be required to post a surety bond equal to the amount expected to be paid from the accounts during the school year. In lieu of the bond, the private entity could provide financial information demonstrating it can repay the amount expected to be received. (01/07)
MO	HB 1997	01/06/2016 HB 1997 has been introduced.	License Bond— Roofing Contractors	HB 1997 would require roofing contractors to be licensed and post a \$10,000 bond or “other acceptable surety.” The contractor also would have to obtain liability insurance. (01/08)
MO	HB 1999	01/06/2016 HB 1999 has been introduced.	Public Official Bonds	HB 1999 would require the Commissioner of Administration (Commissioner) obtain a blanket bond or crime insurance policy instead of individual bonds for state compensated employees in the judiciary. The Commissioner could require officers, employees, or agents of the State to post an individual bond if they have responsibility for or access to any of the State’s money or property and are not otherwise required to post a bond. The bill would allow the Commissioner to assume the risk for any or all officers and employees of the State instead of obtaining bonds. (01/08)
MO	HB 2106	01/07/2016 HB 2106 has been introduced.	Court Bond— Estates	HB 2106 would revise the existing conditions under which a court may waive the bond required for the distributees of an estate if seeking the real property of the estate without waiting for the granting of letters testamentary or of administration. The court could waive the bond if all distributees have waived the bond and proof of payment for the funeral bill has been submitted along with a waiver of the bond for the funeral claim, or the funeral claim is prohibited by law. (01/16)
MO	HB 2207	01/13/2016 HB 2207 has been introduced.	Public Official Bonds	HB 2207 would establish a board of directors to run county and city youth programs for children at risk of juvenile delinquency, among other issues. The treasurer of the board would have to post a surety bond in the amount that the board determines to secure the faithful performance of his or her duties and faithful accounting of all moneys that he or she may handle. (01/14)
MO	HB 2213	01/13/2016 HB 2213 has been introduced.	License Bond— 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 \$5,000 surety bond conditioned on the licensee reporting and paying all sales and use taxes due to the State. (01/14)

MO	HB 2231	01/13/2016 HB 2231 has been introduced.	Miscellaneous Bond—Biomass Fuel	HB 2231 would require biomass fuel producers to post a surety bond if they are seeking a grant from the Missouri Qualified Solid Biomass Fuel Producer Incentive Fund that the bill would create. The bond would have to be in an amount not to exceed the estimated maximum monthly grant issued to the producer. (01/16)
MS	SB 2023	01/26/2016 SB 2023 has been introduced.	Appeal Bond	SB 2023 would eliminate the appeal bond required in connection with administrative appeals of licensing decisions issued by the Board of Nursing. Current law requires a \$100 bond. (01/28)
MS	SB 2098	01/26/2016 SB 2098 has been introduced.	Public Official Bonds	SB 2098 would repeal the \$5,000 bond required for members of the State Board of Health. (01/28)
NE	LB 730	01/06/2016 LB 730 has been introduced.	License Bond—Grain Warehouses	LB 730 would revise the bond requirements for grain warehouse licensees to provide that the bond or other security required under existing law is for the benefit of persons who owned and sold grain stored in the warehouse and have not received payment from the warehouse licensee. The bill would delete the provision that the bond is for the benefit of persons who hold a check for purchase of grain stored in the warehouse that the licensee issued. (01/08)
NE	LB 881	01/21/2016 LB 881 has been heard in committee.	Performance Bond—Energy Conservation Contracts	LB 881 would revise 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. Current law requires it to cover the design, installation, modification, commissioning, maintenance, and financing of such measures. (01/16)
NE	LB 933	01/15/2016 LB 933 has been heard in committee.	License Bond—Payroll Processors	LB 933 would require payroll processors to be licensed and post a surety bond or other security equal to the total of all state and federal tax payments and unemployment insurance premiums processed on behalf of employers in the State in the three-consecutive-month period of highest volume during the previous year, or \$50,000, whichever is greater. The bond would be capped at \$500,000. The surety would have to provide immediate notice if the bond is cancelled, terminated, or has lapsed. Processors that do not handle client funds would be exempt. (01/13)
NE	LB 1040	01/20/2016 LB 1040 has been introduced.	License Bond—Travel Agencies	LB 1040 would require travel agencies to register and post a \$10,000 surety bond or other security for the benefit of a person who is injured by the fraud, misrepresentation, or financial failure of the travel agency or its travel agents, or the State on behalf of these injured persons. The bond would secure payment of any judgment that a person recovers in a state court in a suit for actual damages,

				including reasonable attorney's fees, or for rescission, resulting from the sale or offer of sale of travel services. The surety's aggregate liability would be limited to the bond amount. The bond could be cancelled with 60 days' notice. A minimum \$1 million errors and omissions policy would be accepted in lieu of the bond. (01/21)
NE	LB 1103	01/27/2016 LB 1103 has been heard in committee.	Release of Lien Bond	LB 1103 would establish procedures for handling Medicaid reimbursement claims following the death of a Medicaid benefits recipient. The bill would permit the Department of Health and Human Services to impose on the recipient's real estate to secure reimbursement of unpaid Medicaid claims if the real estate is transferred. The transferee could furnish "sufficient sureties" to obtain the release of a lien. (01/26)
NH	HB 1243	02/04/2016 HB 1243 passed out of committee in the House.	Miscellaneous Bond—Sewage Violations	HB 1243 would revise the current law concerning penalties for violations of municipal ordinances for the maintenance and operation of a sewage system, pumping station, treatment plant or other appurtenant structure to authorize the court to require the alleged violator to post a bond. The bond would secure payment of the penalties or remedies for the violation and/or the performance of any injunctive relief that the court orders. (02/09)
NH	HB 1618	02/03/2016 HB 1618 has been heard in committee in the House.	License Bond—Debt Adjustment Providers	HB 1618 would revise the current license bond requirement for debt adjustment service providers to permit direct actions on the bond. The bill also would add a six year tail to the bond. The bill provides that the surety's obligations would survive the licensee's bankruptcy, insolvency, liquidation, or reorganization, including, without limitation, any such action commenced by or against the licensee under any applicable state or federal law, including the U.S. Bankruptcy Code. (01/08)
NH	HB 1639	02/02/2016 HB 1639 has been heard in committee in the House.	Public Official Bonds	HB 1639 would grant taxpayers access to seek indemnity from the bond required for state officials, clerks, and employees if the taxpayer is seeking damages against the State due to the official or employee's violations of the conditions of the bond. The taxpayer also would be granted a right of subrogation against the officials, clerks, and employees. (01/08)
NJ	SB 82	01/12/2016 SB 82 has been introduced.	License Bond—Small Business Consulting Firms	SB 82 would require small business consulting firms to register and post a \$10,000 surety bond. The bond would be held for 90 days after the expiration or revocation of the registration. The bond's terms and conditions would be determined through regulations. These firms provide consulting services on business practices to a small business or a project or other undertaking of a small business. (01/19)

NJ	SB 532/ AB 1340	01/12/2016 SB 532/AB 1340 have been introduced.	Miscellaneous Bond— Homebuilders	SB 532/AB 1340 would establish the Superstorm Sandy Homeowners Protection Act. The Department of Community Affairs would have to provide a best practices tip sheet to homeowners receiving grants under the Reconstruction, Rehabilitation, Elevation, and Mitigation Program who are selecting their own contractor and to grant recipients in the Low-to-Moderate Income Homeowners Rebuilding Program. The sheet would have to include a recommendation for only hiring builders that post a \$25,000 performance bond. (01/19)
NJ	SB 684	01/12/2016 SB 684 has been introduced.	Public Official Officials	SB 684 would create the Clean Energy Technology Center and would require its officers and employees who have access to its cash or negotiable securities to post a bond in the amount and with the surety that the Center's board of directors requires.(01/19)
NM	HB 196	01/20/2016 HB 196 has been introduced.	Public Official Bonds	HB 196 would require the members of the board of directors of regional water utility authorities, which would be created under the bill, to post a bond that complies with the existing bond requirements for public officials. The authority could provide a blanket bond for its directors, officers and employees. The board would determine the amount required. The bond would be conditioned on the faithful performance of the duties of office and the faithful handling of the authority's property and money. (02/01)
NM	SB 223/ HB 289	01/23/2016 SB 223/HB 289 have been introduced.	Financial Assurance— Geothermal Resources	SB 223/HB 289 would authorize the New Mexico Energy Conservation and Management Division to adopt regulations for the exploration, development and production of geothermal resources. The regulations would have to include financial assurance requirements for geothermal projects, facilities and wells, for which a surety bond or other security would be accepted. (02/01)
NM	HB 250	01/21/2016 HB 250 has been introduced.	License Bond— Money Transmitters	HB 250 would rewrite the current law for businesses that sell, issue or register checks or money orders in the State by adopting the Uniform Money Services Act, which would require all money transmission service businesses to be licensed. The bill would increase the amount of the license bond required, which currently must be \$10,000 plus \$5,000 per location in the State, capped at not more than \$200,000. The bill would require the bond to be for \$300,000, 1% of the licensee's total annual dollar volume of business in the State, or the applicant's projected total volume of business in the State for the first license year, whichever is greater. The maximum bond amount would be \$2 million, except if the licensee's financial condition deteriorates, in which case the bond could be increased up to \$5 million. The bill

				would permit direct actions on the bond and would provide for a minimum five year tail on the bond after the licensee ceases to provide money services in the State. (02/01)
NY	AB 3702	01/26/2016 AB 3702 is to the third reading in the Assembly.	Miscellaneous Bond— Employment Agencies	AB 3702 would provide for civil penalties against employment agencies that violate the applicable laws governing their practices. The bill provides that the bond required under existing law for such agencies would be liable for the payment of the penalties if the agency fails to do so. (01/26)
NY	SB 5949/ SB 6408/ AB 9008/ SB 4209/ SB 2159/ AB 1981/ SB 503	02/01/2016 SB 5949 has passed the Senate.  01/14/2016 SB 6408/AB 9008 have been introduced.	License Bond--	SB 5949/ SB 6408/AB 9008 would require 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 would 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 would determine the amount required for these two bonds.  SB 5949 also would require 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.  SB 4209/SB 2159/AB 1981/SB 503 are carryover bills that also contain these provisions and they have not moved in 2016 to date. (02/09)
NY	SB 6405/ AB 9005	01/14/2016 SB 6405/AB 9005 have been introduced.	Workers' Compensation Self-Insurers	SB 6405/AB 9005 would establish a group self-insurance pool for private employers to secure their workers' compensation obligations. These employers would have to meet financial requirements that the Chair of the Workers' Compensation Board would prescribe and pay an entry fee to start a fund for the pool and an annual participation fee to maintain the fund and the required security amount. Existing self-insured employers that do not meet the financial requirements for the pool would have to secure their workers' compensation plans through a surety bond or other security as provided under existing law. The bill would eliminate provisions permitting group self-insurers to provide a surety bond or other security for their plans.

				The bill also would eliminate the separate security requirements for self-insurers of disability benefits and would subject them to the proposed requirements to participate in the pool or provide a form of security if they do not qualify for the pool. The bill also would permit a group of public entities to form public employer group self-insurance plans for which no proof of financial ability to pay the compensation would be required. Instead, the joint and several liability of the public group self-insurer's participants would secure the plans. (01/15)
NY	SB 6409/ AB 9009	01/14/2016 SB 6409/AB 9009 have been introduced.	Tax Bond— Jeopardy Assessments	SB 6409/AB 9009 would permit the commissioner to issue a jeopardy assessment against any taxpayer if he or she believes that any tax may not be collected. The assessment would have to be paid immediately upon receiving notice. The taxpayer could stay the assessment by posting a surety bond or other security that would be conditioned on the amount owed, or any lower amount if reduced in court. (01/15)
NY	AB 9089	01/25/2016 AB 9089 has been introduced.	Miscellaneous Bond— Contractors	AB 9089 would require contractors to register with the Department of Labor before they can bid on a public works project. For violations, the Commissioner of Labor could require a contractor to post a surety bond as a condition of registration. The bond would be for the benefit of workers damaged by the contractor's failure to pay wages or benefits in compliance with the applicable law. The Commissioner of Labor would determine the bond amount, but it could not exceed \$10,000. (01/26)
NY	AB 9155	01/29/2016 AB 9155 has been introduced.	License Bond— Process Servers	AB 9155 would require process servers to be licensed and post a surety bond, contract of indemnity, or letter of credit in an amount ranging from \$10,000 to \$75,000 based on the number of process servers that the licensee employs. The bond would be conditioned on compliance with the applicable laws and regulations and on the licensee's payment obligations. The surety's aggregate liability would be limited to the bond amount. The surety could cancel the bond with 30 days' notice. (01/30)
OH	HB 432	01/26/2016 HB 432 has been introduced.	Court Bond— Fiduciary	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. (01/27)

OK	SB 1069	02/08/2016 SB 1069 has been reported from committee in the Senate.	School Bond	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. (02/09)
OK	SB 1240	02/02/2016 SB 1240 has been introduced.	Public Official Bonds	SB 1240 would authorize the governing body of the largest municipality in a county to create a public safety protection district. The treasurer for the district's board of directors would have to post a surety bond conditioned on the faithful accounting for all of the district's money that the treasurer handles. (02/03)
OK	SB 1314	02/01/2016 SB 1314 has been introduced.	License Bond— Lending Business	SB 1314 would require persons making flex loans to be licensed and post a surety bond or irrevocable letter of credit equal to \$25,000 per location. The maximum bond amount would be \$200,000. The bond would secure against the licensee's fraud, misrepresentation, breach of contract, financial failure, or violation of the applicable law. The bill would permit direct actions on the bond, but the surety's aggregate liability would be limited to the bond amount. The bond would have to be maintained for three years following the expiration, revocation, or surrender of the license. Flex loans are open-end credit plans offered to a consumer that could be secured by personal property, could be without a fixed maturity date or limitation on the loan term, and would be subject to prepayment at any time. (02/02)
OK	SB 1532	02/01/2016 Sb 1532 has been introduced.	Workers' Compensation Self-Insurance	SB 1532 would revise the claims handling procedures for employers with self-insured workers' compensation plans who become impaired so that the proceeds of the security posted for the plan would be released to the Self-insurance Guaranty Fund Board to administer the payment of claims. If there are excess proceeds after all claims are paid, they would be remitted to the Board. The bill would repeal the current claims handling process, which includes the surety administering payments or the insurance carrier entering into a contract with the Workers' Compensation Commission. (01/23)
OK	HB 2556	02/01/2016 HB 2556 has been introduced.	Public Official Bonds	HB 2556 would create the Board of Regents of Oklahoma Community Colleges, which would be authorized to require its personnel who have custody of public funds or other public property to post a surety bonds in the amount that the Board requires. The bond would be conditioned on the faithful accounting of all public funds and property. (01/26)



OK	HB 2596	02/01/2016 HB 2596 has been introduced.	Public Official Bonds	HB 2596 would create the Oklahoma Mutual Transit Authority and would require its appointed members to post a \$25,000 surety bond. The secretary and the treasurer would have to post a \$100,000 bond. The bonds would secure the faithful performance of their duties. (01/23)
OK	HB 3067/ HB 2949	02/01/2016 HB 3067/HB 2949 have been introduced.	Miscellaneous Bond— Scholarship Program	HB 3067/HB 2949 would establish a state scholarship program for low-income students through Education Savings Accounts that would allow the student to attend a nonpublic school. The bill provides that the State Board of Education would have to adopt rules that include requirements for account holders to obtain insurance or a surety bond in connection with the program. (02/02)
OR	SB 1587	02/09/2016 SB 1587 has been heard in committee in the Senate.	Miscellaneous Bond—Wages	SB 1587 would revise the bond requirements for employers who fail to pay wages by requiring the bond if the employer fails to maintain a regular pay day in which payment cannot go past a period of 35 days from the time that the employees entered upon their work, or from the date of the last regular payday. Current law provides that the bond is required for failing to pay wages within five days past the scheduled payday. The bill also would revise the requirement for an additional bond if an employer is not paying its employees by providing that the Commissioner of Bureau of Labor and Industries would determine the period for which the bond guarantees payment of wages instead of the current six month period that the bond guarantees. (02/01)
OR	HB 4026	02/10/2016 HB 4026 has been heard in committee.	License Bond— Liquor Wholesalers and Retailers	HB 4026 would require malt beverage and wine wholesalers, distilled liquor wholesalers, and liquor stores to be licensed and would subject them to the tax and tax bond requirements in existing law for alcohol. The law provides that the bond secures the payment of fines for violation of the applicable law and the payment of all license fees, privilege taxes, and applicable taxes, along with any penalties and interest. (01/29)
OR	HB 4121	02/08/2016 HB 4121 has passed out of committee in the House.	License Bond— Contractors	HB 4121 would revise 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 could 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. For wage and benefit claims, the claimant could obtain a final order from the Bureau of Labor and Industries. The bill would prohibit including attorney's fees in final order or final

				judgment. The bill would repeal the existing specifications for binding arbitration proceedings. (02/01)
RI	SB 2012	01/13/2016 SB 2012 has been introduced.	License Bond— Payday Lenders and Check Cashers	SB 2012 would establish separate license requirements for check cashing businesses and pay day lending businesses. Under current law, check cashing businesses can also be pay day lenders and only one license is required. The bill would require pay day lenders to post a bond in an amount ranging from \$50,000 to \$150,000 based on the number of locations. The bill would permit securities in the form of U.S. or state obligations to be furnished in lieu of the surety bond. (01/19)
RI	HB 7197	01/15/2016 HB 7197 has been introduced.	Court Bond— Patent Cases	HB 7197 would prohibit bad faith assertions of patent infringement in lawsuits. If the court determined there is a reasonable likelihood that the person made the assertion in violation of this, the court would have to require the person to post a bond. The bond would have to be equal to a good faith estimate of the target's costs of the lawsuit and amounts likely to be recovered, but not more than \$250,000. The bond would be conditioned upon payment of any amounts due to the target of the lawsuit. (01/20)
SC	SB 3682	01/27/2016 SB 3682 has been reported from committee in the Senate.	Court Bond— Patent Cases.	HB 3682 would prohibit bad faith assertions of patent infringement in lawsuits. If the court determined there is a reasonable likelihood that the person who made the assertion has made it in violation of the bill's provisions, the court would have to require the person to post a bond in an amount not more than \$250,000 based on the costs of the suit and the amount to be recovered. The bond would be conditioned upon payment of any amounts finally determined to be due to the target of the lawsuit. (01/29)
SC	HJR 4541	HJR 4541 has been introduced.	Bid Bond—Sale of Agency	HJR 4541 would direct the State Fiscal Accountability Authority to sell the South Carolina Public Service Authority through a request for proposals. The State Fiscal Accountability Authority could require a bond in connection with the bid. (01/14)
SC	HB 4554	01/12/2016 HB 4554 has been introduced.	License Bond— Money Transmitters	HB 4554 would require money transmitters to be licensed and post a surety bond, letter of credit, or other acceptable security equal to \$50,000 plus \$10,000 per location. The maximum amount would be \$250,000, unless the Securities Commissioner determines that the licensee's financial condition changes, in which case the bond could be increased up to \$1 million. The bond would be conditioned on the licensee's faithful performance of its obligations under the license. The bill would permit direct actions on the bond, but the surety's aggregate liability would be limited to the penal sum of the bond. The bond would have to cover claims for at

				least five years after the licensee ceases to do business in the State. The bond could be reduced or eliminated earlier relative to the reduced amount of the licensee's payment instruments or stored-value obligations outstanding in the State, or an alternate form of security could be substituted after the licensee ceases doing business in the State. The bill also would authorize the court to require receivers appointed for a licensee to be bonded in an amount the court would determine to protect the claimants. (01/14)
SC	HB 4565	01/12/2016 HB 4565 has been introduced.	Financial Assurance— Hazardous Dams	HB 4565 would require owners of dams classified as high or significant hazards to provide a form of financial assurance, for which a surety bond would be accepted. The Department would determine the amount required based on the cost to safely remove the dam or reservoir if necessary. A written cost estimate from an engineer would be required with the financial assurance. The amount would have to be adjusted annually for inflation. The Department also could adjust the amount required if necessary. (01/18)
SD	SB 54	02/03/2016 SB 54 passed the Senate.	Court Bond— Fiduciary	SB 54 would revise the bond requirement for guardians and conservators to require the surety for the bond to serve notice to the court and to the minor, the protected person, or the estate immediately if the guardian or conservator does not renew the bond. (01/15)
SD	1059	01/27/2016 SB 1059 passed the Senate.	Court Bond— Wage Garnishment	SB 1059 would repeal court procedures for wage garnishment cases that include a requirement for the defendant to post a bond to secure payment of the judgment to the plaintiff. With the repeal of the procedures, the bond would be eliminated as well. (01/26)
SD	SB 1068	02/10/2016 SB 1068 has been scheduled to be heard in committee in the Senate.	Court Bond— Receivers	SB 1068 would authorize a court to appoint receivers to wind up and liquidate or custodians to manage the affairs of a nonprofit corporation in a judicial proceeding to conduct the dissolution of the corporation. The court could require the receiver or custodian to post a bond, with or without surety, in the amount that it requires. (01/21)
SD	HB 1083	02/08/2016 HB 1083 has passed the House.	License Bond— Off-Road Vehicle Dealers	HB 1083 would require off-road vehicle dealers to be licensed and post a \$5,000 bond. (01/25)
SD	HB 1140	01/28/2016 HB 1140 has been introduced.	Appeal Bond	HB 1140 would require persons appealing a final decision of the Board of Adjustment concerning a zoning decision to post a \$250 appeal bond to secure the appellant's prosecution of the appeal without delay and payment for the costs of that

				the court orders the appellant to pay. The county auditor would have to approve the surety on the bond. (02/01)
SD	HB 1149	01/28/2016 HB 1149 has been introduced.	Public Official Bonds	HB 1149 would authorize the establishment of special purpose recreation districts. The secretary-treasurer for the district would have to post a minimum \$25,000 bond.(01/29)
SD	HB 1161	01/28/2016 HB 1161 has been introduced.	License Bond— Lending Businesses	HB 1161 would require businesses offering consumer lines of credit to obtain a license for each location and post a surety bond equal to \$10,000 for the first license and \$2,500 for each additional license. The bond would secure the licensee’s compliance with the applicable laws and regulations and the payment of amounts due to the State or other persons due during the calendar year for which the bond is furnished. The surety’s aggregate liability could not exceed the bond amount. (01/29)
TN	SB 1980/ HB 2471	01/21/2016 SB 1980/HB 2471 have been introduced.	License Bond— Recreational Vehicle Dealers	SB 1980/HB 2471 would establish a separate regulatory scheme for recreational vehicle dealers, which currently are subject to the existing law for motor vehicle dealers. The bill includes a license bond requirement for RV dealers that mirrors the current license bond requirements for motor vehicle dealers. The RV dealer would have to post a \$50,000 surety bond or certificate of deposit to secure its obligations. (01/25)
TN	SB 2430/ HB 2439	01/21/2016 SB 2430/HB 2439 have been introduced.	Depository Bonds	SB 2430/HB 2439 would authorize municipalities with a population of 150,000 or less to establish energy authorities. Banks or trust institutions holding an authority’s funds would have to secure them through insurance through a federal agency, a deposit of securities, or a surety bond. The authority would determine the sufficiency, form, and substance of the bond. (01/25)
VA	HB 230/ SB 507	02/02/2016 HB 230 passed the House.  02/08/2016 SB 507 has passed out of committee in the Senate.	Court Bond— Trustees	HB 230 provides that a person could petition a circuit court to establish a trust. The court would determine the terms of the trust and the trustee, as well as whether the trustee must post a bond with or without surety. (02/04)

VA	HB 437	02/02/2016 HB 437 passed the House.	Appeal Bonds	HB 437 would revise the current law for appeal bonds and “suspending bonds” to clarify the procedures for modifying the amount of the bond to specify that a motion can be filed in court in addition the current practice of filing a brief. The bill would permit the parties in the case to agree to waive the requirement of a suspending bond or to agree to a suspending bond in an amount less than the compensatory damages. The suspending bond amount also would have to include an amount equivalent to one year's interest calculated from the date of the notice of appeal. The bill specifies that if the party filing the appeal provides cash in an amount equal to the judgment, then surety would not be required for the bond. (02/04)
VA	HB 603/ HB 1341	01/28/2016 HB 603 has been tabled in subcommittee in the House.  02/08/2016 HB 1341 has passed the House.	Public Official Bond	HB 603/HB 1341 would repeal a provision requiring any person that the Veterans Services Foundation board of trustees designates to handle funds for it or for the Veterans Services Fund to post a bond. (02/09)
VA	SB 646/ HB 751/ HB 775	02/08/2016 SB 646 has passed the Senate.  01/26/2016 HB 751 has been tabled in subcommittee in the House.  02/04/2016 HB 775 has been reported from committee in the	Miscellaneous Bond—Fantasy Contest Operators	SB 646/HB 751/HB 75 would require 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 would have to 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 would be for the benefit and protection of the players' funds. (02/09)

		House with a substitute.		
VA	HB 1094	02/08/2016 HB 1094 passed the House.	Public Official Bond	HB 1094 would repeal the bond requirement for employees of the Peanut Board who handle its funds. (02/09)
VA	HB 1169	02/01/2016 HB 1169 has been reported from subcommittee in the House.	Reclamation Bonds—Mineral Mining	HB 1169 would increase the bond amount required for operators of a mineral mine so that it would have to be for \$3,000 per acre. The law requires the bond to be in an amount ranging from \$200 and \$1,000 per acre. The bill would repeal a provision requiring the minimum bond amount to be \$1,000, except in areas of five acres or less, the bond must be no less than \$200 nor more than \$1,000 per acre. (01/19)
VA	HB 1347	01/21/2016 HB 1347 has been introduced.	Permit Bond—Wireless Facilities	HB 1347 would prohibit local authorities from requiring surety bonds or other security to secure the removal of an unused or abandoned wireless facility unless the local authority imposes similar requirements on other permits for other types of commercial development or land uses. The bond or security could not exceed a reasonable estimate of the direct cost of the facility’s removal. (02/01)
VT	SB 193	01/05/2016 SB 193 has been introduced.	Court Bond—Estates	SB 193 would revise the current probate law for a decedent’s estate, which currently requires the executor or administrator of the estate to post a surety bond in an amount the court determines. The bill provides that the court could determine whether the bond would have to have sureties. The bill would revise the condition of the bond to increase the amount of time that the executor administrator has to submit the inventory of the estate to the court from 30 to 60 days. The bill also would eliminate procedures for requiring an executor who is a “residuary legatee” to post a bond and provisions permitting an individual to specify the bond requirement in his or her will. The bill also would establish procedures to apply for the waiver of having an administrator for qualifying estates, which would include waiving the bond requirement since there would not be an administrator. (01/05)
VT	SB 213	01/05/2016 SB 213 has been introduced.	Miscellaneous Bond—Employee Benefit Plans	SB 213 would establish a private insurance system for providing up to five weeks of paid leave for the birth or adoption of a child. Employers would either have to provide this benefit through purchasing insurance or through self-insurance. The Commissioner of Labor would have to adopt rules and impose terms and conditions, including surety bonds, cash deposits, or reserves and excess risk insurance, to secure the payment of parental leave benefits in the same manner as provided through insurance. (01/08)

VT	SB 223	01/05/2016 SB 223 has been introduced.	Miscellaneous Bond—Fantasy Contest Operators	SB 223 would require 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 would have to include maintaining a reserve in the form of a bond or other security in the amount of the deposits in the fantasy contest players' accounts. The bond or other security would be for the benefit and protection of authorized fantasy contest players' funds. (01/05)
VT	HB 663	01/27/2016 HB 663 has been introduced.	Costs Bond	HB 663 provides that a person requesting a formal review and recorded hearings of a development plan by a municipal panel or a district commission could be required to post a bond to secure the payment of the costs of the proceeding. (02/01)
VT	HB 685	01/27/2016 HB 685 has been introduced.	License Bond—Contractors	HB 685 would subject nonresidential improvement contractors to the existing home improvement fraud law, which includes a requirement for a \$50,000 surety bond or irrevocable letter of credit if the contractor has been sentenced for or convicted of fraud under this law. (01/29)
WA	HB 1745	02/04/2016 HB 1745 has passed the House.	Court Bond—Restraining Orders	HB 1745 provides that a plaintiff filing an action alleging a case of “polarized voting” in an election held by a political subdivision of the State would not have to post a bond to seek a temporary restraining order or injunction. The bill provides that polarized voting occurs when the candidates and other electoral choices on a ballot are different than those preferred by a protected class of persons. (02/09)
WA	HB 2622	01/18/2016 HB 2622 has been introduced.	License Bond—Auctioneers  License Bond—Manicurists	HB 2622 would repeal the licensing requirements for several types of businesses and would require them to register with a state-run consumer review website in which consumers can post reviews and ratings of businesses for other consumers to use. For auctioneers, auction companies, and manicurists, this would include the elimination of a bonding requirement. (01/19)
WA	SB 6606	02/08/2016 SB 6606 has passed out of committee in the Senate.	License Bond—Motor Vehicle Dealers	SB 6606 would repeal provisions in the current law that limit motor vehicle dealers who have purchased from, sold to, or otherwise transacted business with wholesale dealers to instituting actions only against wholesale dealers and their surety bonds. (01/30)
WI	SB 547/ AB 698	02/02/2016 SB 547 has passed out of committee in the Senate.  02/05/2016	Financial Responsibility—Liquefied Petroleum Gas Retailers	SB 547/AB 698 would repeal the option for a retailer of liquefied petroleum gas to post a surety bond or letter of credit as a form of financial responsibility. Only commercial general liability insurance could be used to meet this requirement under the bill. (02/09)

		AB 698 has passed out of committee in the Assembly.		
WI	SB 631/ AB 778	01/28/2016 SB 631 has been heard in committee in the Senate.  02/04/2016 AB 778 has been reported from committee in the Assembly.	Miscellaneous Bond— Professional Employer Organizations  License Bond— Fundraisers	SB 631/AB 778 would revise the current bond requirements for professional employer organizations (PEO), which currently must maintain a working capital or post a bond or other security for at least \$100,000, or if the PEO has a negative working capital, the bond or other security must be equal to \$100,000 plus an amount to make up the deficiency. The bill would eliminate the option to provide other forms of security in lieu of the bond when only a bond is posted in lieu of the working capital.  The bill also would revise the bond requirement for professional fundraisers and fundraising counsel to delete a provision requiring the bond to be from “one or more responsible sureties whose liability in the aggregate as sureties at least equals [the bond amount].” The bill also would delete an option for the bond to be a rider for a blanket liability bond and instead would require the bond to be prescribed by and acceptable to the Department of Financial Institutions. (02/09)
WI	AB 800	01/27/2016 Ab 800 has been heard in committee in the Assembly.	Miscellaneous Bond—Fantasy Contest Operators	AB 800 would require 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 would have to include maintaining a reserve through a bond or other security in the amount of the deposits in the players’ accounts. The bond would be for the protection of the players' funds. (01/27)
WI	AB 821	02/04/2016 AB 821 has been heard in committee in the Assembly.	Public Official Bond	AB 821 would repeal the bond required for members of a county veteran’s service commission. (02/01)
WV	SB 326	02/06/2016 SB 326 has passed the Senate.	Miscellaneous Bond—Suspended Sentence	SB 326 would increase the amount of the bond required in connection with obtaining a suspended sentence when convicted of contributing to delinquency or neglect of a child from a maximum of \$1,000 to a maximum of \$5,000. The bond secures payment of the sums that the court orders to be paid in connection with the conviction. (02/09)



WV	SB 358	01/21/2016 SB 358 has been introduced in the Senate.	Reclamation Bonds—Mining	SB 348 would create the Mining Mutual Insurance Company for providing performance bonds to secure reclamation obligations for surface mining operations. The company would be created to facilitate a market for performance bonds for mining operations, which the bill's findings indicate is not sufficient to meet the current needs of mining operators. The bill provides for funding to assist the establishment of the company. The company could obtain waivers from regulatory requirements for insurers. (01/22)
WV	SB 359	01/21/2016 SB 359 has been introduced.	Reclamation Bonds—Mining	SB 359 would rewrite the reclamation bonding requirements for surface mining to require that performance bonds be issued only by the state-run Mining Mutual Insurance Company (Company). Current law requires a performance bond in the form of a surety bond or other security in an amount not less than \$1,000 nor more than \$5,000 per acre. The bill provides that the bond would be based on the reclamation costs and would have to be sufficient to secure completion of the reclamation plan. Operators could meet the bond requirement for one year after the Company is funded through a combination of performance bonds from the Company and the surety bonds or other security that the operator posted previously. (01/22)
WV	SB 420	01/28/2016 SB 420 has been introduced.	Tax Bond—E-Cigarettes	SB 420 would impose a tax on e-cigarettes and would authorize the Tax Commissioner to require wholesalers, sub-jobbers, or retail dealers to post a minimum \$1,000 surety bond conditioned on compliance with the applicable laws and regulations, the filing of returns, and payment of the taxes. The Tax Commissioner would determine the amount required. (01/29)
WV	HB 4219	01/21/2016 HB 4219 has been introduced.	Permit Bond—Vehicle Inspection Stations	HB 4219 would require vehicle inspection stations to post a \$500 surety bond in connection with the existing permit requirements. The bond would be forfeited if a customer receives a traffic citation or has an accident as a result of a malfunction from wear within 60 days or 2,000 miles driven following an inspection. (01/22)