

**THE SURETY & FIDELITY ASSOCIATION OF AMERICA**

**MEMORANDUM**

**TO:** Government Affairs Advisory Committee

**FROM:** Daniel Wanke

**RE:** Commercial Surety Legislation

**DATE:** April 8, 2016

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There are 32 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. Florida, Georgia, Idaho, Indiana, Oregon, South Dakota, Utah, Virginia, Washington, West Virginia, Wisconsin, and Wyoming have adjourned for 2016 since the last report. Alaska, Arizona, Iowa Kentucky, Maine, Maryland, Mississippi, Nebraska, and Tennessee are projected to adjourn in April. The following report compiles and summarizes the commercial surety legislation that SFAA is tracking as of April 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	HB 337	03/24/2016 HB 337 has been reported from committee in the House with a substitute.	Tax Bond— Marijuana	HB 337 would require marijuana cultivation facilities to post a \$5,000 surety bond or cash to secure the payment of an excise tax. The bond would be forfeited for a failure to pay the tax. (04/02)
AL	HB 84	03/10/2016 HB 84 is pending in committee in the House.	School Bond	HB 84 would establish an education savings account program as part of a school choice program for students with disabilities. Schools 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 school could provide financial information demonstrating it can repay this amount. (03/24)
AL	HB 95	03/23/2016 HB 95 passed the House.	Public Official Bond	HB 95 would revise the current law for judges and the sureties on his or her official bond, which provides that they are liable to any person injured for the judge's neglect or omission for not taking a bond, or a new or additional bond, if required, or for taking an insufficient surety on the bond from a conservator, executor, or administrator. The bill provides that the judge and his or her sureties only would be liable for the judge's wanton, fraudulent, or intentional misconduct with regard to the requirement of bonds for conservators, executors, administrators, fiduciaries, or someone serving in a similar capacity. (04/02)
AL	SB 313	03/22/2016 SB 313 passed the Senate.	Appeal Bond	SB 313 would authorize class five municipalities to establish an expedited quiet title procedure for tax sale properties acquired from the State Land Commissioner. Any party appealing an order vesting a title in the municipality would be required to post a bond in the amount due to redeem the property. (03/24)
AL	SB 330	03/08/2016 SB 330 has been introduced.	License Bond—Flex Loan Lenders	SB 330 would require flex loan lenders to be licensed and post a \$25,000 surety bond or irrevocable letter of credit. The bond would be for the benefit of any person who is injured pursuant to a flex loan plan by the lender's fraud, misrepresentation, breach of contract, financial failure, or violation of the applicable law. The bill would permit direct actions, but the surety's aggregate liability would be limited to the bond amount. The bond would have to be in place for three years following the expiration, revocation, or surrender of the lender's license. (03/24)
AZ	SB 1227	03/02/2016 SB 1227 passed the Senate Committee of the Whole.	Court Bond—Seized Animals	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. (03/18)
AZ	SB 1306	03/30/2016 SB 1306 passed the House Committee of the Whole.	Miscellaneous Bond—Developers	SB 1306 would revise the existing law concerning the development fees that a county may charge to require the developer 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. (03/31)
AZ	SB 1422	03/22/2016 SB 1422 passed the House	Miscellaneous Bond—Home Inspectors	SB 1422 provides that the bond require for home inspectors under existing law in connection with certification would have to be retroactive to the home inspector's certification date. The bond must be obtained within 60 days following certification. The bill also would repeal the

		Committee of the Whole with amendments.		option to post a form of financial assurance in lieu of the bond. The law also permits errors and omissions insurance in lieu of the bond. (03/25)
AZ	SB 1487	03/17/2016 SB 1487 has been enacted.	Court Bond	SB 1487 authorizes the Attorney General to investigate any ordinance, regulation, order or other official action of the governing body of a county, city or town that a member of the legislature alleges violates state law or the state constitution. If the investigation results in the Attorney General taking action in court, the county, city or town must post a bond equal to the amount of state shared revenue paid to it in the preceding six months. (03/22)
AZ	HB 2348	03/24/2016 HB 2348 passed the Senate with amendments.	Appeal Bond	HB 2348 would require an appeal bond or other security to be posted in connection with an appeal to a hearing 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 for 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. (03/25)
AZ	HB 2444	03/30/2016 HB 2444 passed the Senate with amendments.	Miscellaneous Bond— Towing Company Employees	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	03/31/2016 AB 1142 passed the Senate with amendments.	Financial Assurance— Surface Mining	AB 1142 would revise the existing law's financial assurance requirements for surface mining operations to provide that the owner or operator only would have to adjust the amount of financial assurance provided if the cost estimate identifies a need to increase the amount. The bill also would provide 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. (03/23)
CA	AB 2059	03/14/2016 AB 2059 has been amended and re-referred to committee in the Assembly.	Miscellaneous Bond—Junk Dealers and Recyclers	AB 2059 would exempt a junk dealer or recycler for paying for nonferrous materials that they receive by cash or check if the dealer or recycler posts a minimum \$100,000 surety bond to cover the costs incurred to the owner of stolen scrap metal that the dealer or recycler has purchased and the cost to local law enforcement for the investigation of the alleged theft of the metal in question. (04/04)

CA	AB 2899	03/30/2016 AB 2899 was amended and re-referred to committee in the Assembly.	Court Bond— Wage Violations	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. (04/01)
CO	SB 138	03/17/2016 SB 138 has been amended and referred to committee in the Senate.	Miscellaneous Bond—Motor Vehicle Agents	SB 138 would direct the Department of Revenue to study delegating to private agents to handle issuing, renewing, or reissuing driver's licenses; issuing certificates of title; registering motor vehicles; and renewing motor vehicle registrations. The study would have to include a review of whether performance bonds should be required for the agents. (03/30)
CO	HB 1013	03/18/2016 HB 1013 has been enacted.	Public Official Bonds	HB 1013 permits 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. (03/22)
CO	HB 1041	03/11/2016 HB 1041 has been enacted.	License Bond— Marijuana Businesses	HB 1041 repeals the license bonds require for medical marijuana retailers, retail marijuana businesses, and retail marijuana cultivation facilities. The bond secured 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. (03/17)
CO	HB 1129	03/28/2016 HB 1129 passed the House.	License Bond—Charity Solicitors	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. (03/30)
CO	HB 1306	04/01/2016 HB 1036 passed the Senate with amendments.	License Bond— Mortgage Loan Originators	HB 1306 would revise the license bond requirement to delete the prescribed amount of \$25,000 for mortgage loan originators. The bond amount would be set by regulation instead. The bill also provides that the surety bond could be held by the individual mortgage loan originator or could be in the name of the mortgage loan originator's employer. (04/04)
CO	HB 1360	04/05/2016 HB 1360 passed out of committee in the House	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

		with amendments.		working group would have to report its findings to the Executive Director by October 1, 2016. (04/06)
CO	HB 1404	03/24/2016 HB 1404 has been introduced.	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. (04/02)
CT	HB 5333	03/31/2016 HB 5333 has been reported from the Legislative Commissioner's Office and is on the House Calendar.	Public Official Bonds	HB 5333 would revise the bond requirement for the Connecticut Higher Education Supplemental Loan Authority's chairman, vice chairman, executive director, and member board of directors who handle the Authority's funds to permit insurance for \$100,000 per occurrence of a loss to be obtained in lieu of the bond required under current law. The law currently requires each official to post a \$50,000 surety bond or a \$50,000 blanket position bond to secure the faithful performance of their duties. (03/31)
CT	HB 5444	03/23/2016 HB 5444 has been reported from the Legislative Commissioner's Office and is on the House Calendar.	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. (03/24)
CT	HB 5591	03/30/2016 HB 5591 has been reported from the Legislative Commissioner's Office and is on	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. (03/31)

		the House Calendar.		
DE	HB 276	03/24/2016 HB 276 passed the Senate.	Public Official Bonds	HB 276 would repeal the law concerning county comptrollers, who must post a \$10,000 bond. With the elimination of the law, the bond requirement would be eliminated as well. (03/18)
FL	HB 307	03/25/2016 HB 307 has been enacted.	Miscellaneous Bond— Marijuana Dispensing Organizations	HB 307 revises the bond requirement for medical marijuana dispensing organizations to provide that a \$2 million is required if the organization serves at least 1,000 qualified patients. Under current law, the bond must be for \$5 million. (03/28)
FL	SB 772	03/30/2016 SB 772 has been enacted.	License Bond—Sellers of Travel  Miscellaneous Bond—Motor Vehicles	SB 772 allows consumers to make direct actions on the bond required under existing law for sellers of travel. The new law eliminates a requirement for bond claims to be adjudicated only by the Department of Agriculture and Consumer Services. The new law also permits a lien holder for a motor vehicle to post a bond to recover a vehicle from a motor vehicle repair shop. Prior law only specified that a customer may post the bond. (03/31)
FL	SB 854	04/01/2016 SB 854 has been enacted.	Miscellaneous Bond—Pre-need Cemetery and Funeral Merchandise Sellers	SB 854 repeals the bond requirements for pre-need cemetery and funeral merchandise sellers. Prior law permitted 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 will remain in effect under the new law, but no new contracts could be added to them. (04/04)
FL	HB 1339	03/25/2016 HB 1339 has been enacted.	Public Official Bonds	HB 1339 sets forth a charter for the City of Webster and requires the city council members to be bonded if required by ordinance. (03/27)
FL	SB 1604	03/25/2016 SB 1604 has been sent to the Governor.	Miscellaneous Bond— Wholesale Drug Distributors	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. (03/18)
FL	HB 7027	04/04/2016	Bond Waivers	HB 7027 repeals a program for testing autonomous vehicle technology, which included a requirement for a \$5 million bond or other security. (04/02)

		HB 7027 has been enacted.		
GA	SB 255	03/31/2016 SB 255 has been sent to the Governor.	Court Bond— Wage Garnishment	SB 255 would rewrite the current law concerning proceedings for the garnishment of wages. The bill eliminates the bond 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. (03/31)
GA	SB 283	03/29/2016 SB 283 has been sent to the Governor.	Depository Bond	<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; furnishing 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. (03/31)</p>
GA	SB 439	03/30/2016 SB 439 has been sent to the Governor.	Public Official Bonds	SB 439 would set forth the charter for the City of Barwick. The bill would require 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 bill also would authorize 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. (03/31)
GA	HB 514	04/04/2016 HB 514 has been sent to the Governor.	Public Official Bonds	HB 514 would revise the charter for the City of South Fulton. The bill would authorize 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. The bill also would require the city's officials and employees to post bonds in the amount the city council requires. (04/05)
GA	HB 811	04/04/2016	Public Official Bonds	HB 811 would repeal 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 must post a \$50,000 bond and the deputy commissioner and

		HB 811 has been sent to the Governor.		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. (04/06)
GA	HB 818	04/04/2016 HB 818 has been sent to the Governor.	Workers' Compensation Self-Insurance	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. (04/06)
GA	HB 899	03/29/2016 HB 899 has been sent to the Governor.	Miscellaneous Bond— Nonparticipating Manufacturers	HB 899 would require nonparticipating tobacco manufacturers to post a bond for the benefit of the State as a condition of the manufacturer and its brand families being in the State's directory of manufacturers for the following quarter or year. The bond would have to be equal to \$50,000 or the highest amount of escrow that the manufacturer or its predecessor owed in the State in the last 12 quarters. The bond would be conditioned on the deposit of the manufacturer's escrow payments. (04/04)
GA	HB 930	03/28/2016 HB 930 has been sent to the Governor.	Public Official Bonds	HB 930 would set forth the charter for the City of Blairsville. The bill would require 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 bill also would authorize 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. (03/29)
GA	HB 1007	03/28/2016 HB 1007 has been sent to the Governor.	Public Official Bonds	HB 1007 would establish a new charter for the City of Pelham. The charter would require the city's officers and employees to post surety or fidelity bonds in the amounts and with the conditions and terms that the city council requires or are otherwise provided by law. The charter would authorize the court to set bail requirements, including forfeiture of the bond if the defendant does not appear. (03/29)
GA	HB 1020	03/28/2016 HB 1020 has been sent to the Governor.	Public Official Bonds	HB 1020 would set forth the charter for the City of Hogansville. The bill would require 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 bill also would authorize 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. (03/29)
GA	HB 1082	03/29/2016	Public Official Bonds	HB 1082 would set forth the charter for the City of Blakely. The bill would require the city's officers and employees to post bonds in the amount and with the conditions that the city council requires. The bill also would authorize the municipal court to set bail and accept a

		HB 1082 has been sent to the Governor.		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. (03/31)
GA	HB 1125	03/29/2016 HB 1125 has been sent to the Governor.	Public Official Bonds	HB 1125 would set forth the charter for the City of Surrency. The bill would require 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 bill also would authorize 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. (03/31)
GA	HB 1126	03/29/2016 HB 1126 has been sent to the Governor.	Public Official Bonds	HB 1126 would set forth the charter for the City of Graham. The bill would require 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 bill also would authorize 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. (03/31)
GA	HB 1133	03/29/2016 HB 1133 has been sent to the Governor.	Public Official Bonds	HB 1133 would set forth the charter for the City of Lumpkin. The bill would require 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 bill also would authorize 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. (03/31)
HI	SB 2850	04/01/2016 SB 2850 passed out of committee in the House.	License Bond— Mortgage Loan Servicers	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. (03/28)
HI	SB 2910	04/01/2016 SB 2910 passed out of committee in the House.	Public Official Bond	SB 2910 would increase the bond required for the members of the Time Share Commission of Deeds from \$1,000 to \$10,000. (03/24)
IA	HSB 640	03/08/2016 HSB 640 has been filed.	Miscellaneous Bond-Electric Transmission Lines	HSB 640 would require a permit for the construction of merchant electric transmission lines. The permittee would have to furnish a bond equal to 15% of the estimated overall construction cost of the project. The bond would be conditioned that the permittee will pay any and all damages legally recovered against it resulting from the construction, maintenance, or operation of the transmission line in the State. (03/11)
IA	SB 2228	04/06/2016	License Bond—Motor	SB 2228 would increase the license bond required for motor vehicle dealers from \$50,000 to \$75,000. (04/07)

		The Senate concurred in the House passed SB 2228.	Vehicle Dealers	
IA	HB 2436	03/22/2016 HB 2436 has passed the House.	License Bond—Real Estate Appraisal Management Companies	HB 2436 would require real estate appraisal management companies to be licensed and to be covered by a \$25,000 surety bond to secure against liabilities, damages, losses, or claims arising out of the appraisal management services that the company performed involving real estate located in the State. The bill would permit direct actions on the bond. The Superintendent of the Division of Banking would determine the bond's terms through regulations. (03/26)
ID	HB 376	03/01/2016 HB 376 has been enacted.	Tax Bond—Cigarette Wholesales	HB 376 provides that the bond required for cigarette wholesalers must 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. Prior law required the bond only to be equal to at least twice the average tax liability. The new law repeals the \$1,000 minimum bond amount. (03/02)
ID	SB 1318	03/22/2016 SB 1318 has been enacted.	License Bond—Real Estate Appraisal Management Companies	SB 1318 requires real estate appraisal management companies to be licensed and post a \$25,000 surety bond or letter of credit. The bond is for the payment of judgments against the company for violations of the applicable law. The new law permits direct actions on the bond, which would have to be brought within 120 days of the occurrence of the company's noncompliance with the law. (03/24)
IL	HB 6416	03/02/2016 HB 6416 has been introduced.	Appeal Bond	HB 6416 would permit other forms of security to be posted in lieu of a bond for an appeal of a decision from the Workers' Compensation Commission. (03/30)
IN	SB 11	03/21/2016 SB 11 has been enacted.	Public Official Bonds	SB 11 creates the Achieving a Better Life Experience Authority (ABLE) that will run a program in which a person may make contributions for a taxable year for the benefit of an eligible individual with a disability. ABLE's chairperson, vice chairperson, manager, any elected officer or ABLE member authorized to handle funds or sign checks must post a \$100,000 bond conditioned on the faithful performance of the duties of office under the new law. (03/24)
IN	SB 28	03/24/2016 SB 28 has been enacted.	Miscellaneous Bond—	SB 28 revises the medical malpractice insurance requirements for health care providers by deleting the specific amounts required for hospitals, health maintenance organizations, and other health care providers and instead requires the insurance to be equal to a formula set

			Medical Malpractice	forth in the law where the base amount is multiplied by a factor for each type of health care provider. Cash or a surety bond is an option in lieu of the insurance under existing law. (03/31)
IN	SB 339	03/24/2016 SB 339 has been enacted.	Miscellaneous Bond— Fantasy Contest Operators	SB 339 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. (03/31)
IN	HB 1127	03/23/2016 HB 1127 has been enacted.	License Bond—Civil Proceeding Advance Payment Providers	HB 1127 provides that civil proceeding advance payment providers must register and if the Department of Financial Institutions (Department) requires it, post a surety bond or an irrevocable letter of credit in an amount not more than \$50,000. The bond secures the company's compliance with the applicable laws. (03/28)
IN	HB 1344	03/23/2016 HB 1344 has been enacted.	Public Official Bonds	HB 1344 eliminates the Indiana Unemployment Insurance Board, which includes a repeal of a provision authorizing the Board to require its officials handling its money or securities to be bonded. (03/28)
IN	HB 1372	03/24/2016 HB 1372 has been enacted.	Public Official Bonds	<p>HB 1372 revises the bond requirements for public officials by establishing an alternative to furnishing consecutive annual bonds during the term of office, each proving separate coverage each year. The new law provides that the public official bond may be a continuous bond if it is renewed annually with the penal sum available each year during the term of office. The surety's maximum aggregate liability for a term of office for continuous bonds under the new law is the penal sum of the bond for the current year plus the five immediately preceding years. Claims must be brought on the bond within six years after the occurrence that gave rise to the claim under the new law. During the legislative process, SFAA and AIA discussed various ways to limit the surety's aggregate liability and opposed any increase in the time frame for bringing claims on the bond, which is five years under the current statute of limitation. The Attorney General and State Board of Accounts persisted on the need for a longer statute of limitation and got the Governor's support for their position, such that they prevailed with their approach.</p> <p>The new law provides 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</p>

				<p>to the federal government, the state, a political subdivision, or another governmental entity only applies if the funds handled exceed \$5,000. The new law 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 apply if the amount handled exceeds \$5,000 at any one time.</p> <p>The new law permits the fiscal body of a city, town, county, or township to purchase a name or position schedule bond that covers all officers, employees, and contractors who are required to post a bond to secure the faithful performance of their duties. The new law allows crime insurance to be purchased in lieu of bonds if it covers the faithful performance of the insureds and includes aggregate coverage sufficient to provide for the amount required.</p> <p>The new law now gives the Insurance Commissioner discretion as to whether sureties would have to file the bond form for public officials. Based on current law, which required the Commission to promulgate the bond form, sureties were asked to file the bond forms for the first time and SFAA and AIA worked the bill sponsor to address that issue.</p> <p>The bill sponsor also has told us that if the changes to the public official bond law remain problematic for sureties, we will address the issue again next year. (04/06)</p>
KS	SB 369	03/24/2016 SB 369 has been enacted.	License Bond— Mortgage Companies	SB 369 revises the bond requirement for mortgage companies without a bona fide office in the State so the claims provisions are the same as the bond requirements for licensees with a bona fide office in the State. The new law subjects 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. (03/29)
KY	SB 103	03/29/2016 SB 103 has been sent to the Governor.	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. (03/31)

KY	SB 182	03/24/2016 SB 182 has been sent to the Governor.	License Bond—Grain Businesses	SB 182 would eliminate 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. (03/28)
KY	SB 188	03/24/2016 SB 188 has been sent to the Governor.	Financial Assurance—Oil and Gas Wells	SB 188 would subject stratigraphic test wells to the existing permitting and bond requirements for oil and gas wells. The law requires a bond in an amount based on the depth of the well. Blanket bonds are permitted for multiple wells. (03/28)
KY	HB 261	03/29/2016 HB 261 has been sent to the Governor.	2016 KY H.B. 261 (NS), 2016 Kentucky House Bill No. 261, Kentucky 2016 Regular Session Version: Enrolled, Mar. 29, 2016	HB 261, as amended, would require 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 would have to secure the operation of the facilities in a reasonable and reliable manner for at least five years. The bond or security would have to be in an amount sufficient to ensure compliance with the applicable laws. Water districts and associations and entities with sufficient assets to maintain sewage service would be exempt from the bond requirement. (04/04)
LA	SB 183	03/14/2016 SB 183 has been introduced.	Miscellaneous Bond—Cosmetology Schools	SB 183 would increase the bond amount required for cosmetology schools that charge tuition from \$5,000 to \$30,000. (03/24)
LA	HB 208	03/29/2016 HB 208 passed the House.	License Bond—Home Service Contract Providers	HB 208 provides that the term of the surety bond required under current law for home service contract providers would have to coincide with the provider's registration period. (03/24)
LA	HB 271	03/31/2016 HB 271 passed the House.	License Bond—Used Motor Vehicle Dealers	HB 271 would increase the bond amount for used motor vehicle dealers to \$50,000 for all dealers. Current law requires a \$20,000 bond if the dealer sells less than 120 cars in a 12 month period or \$35,000 if more than 120 cars are sold during this period. The bill also would make the bond liable for restitution, unpaid penalties, fines, and hearing costs imposed by the commission not to exceed \$25,000, and attorney fees or court costs in addition to indemnifying used motor vehicle purchasers. (03/31)

LA	HB 793	03/14/2016 HB 793 has been introduced.	License Bond— Installment Loan Businesses	HB 793 would require installment loan businesses to be licensed and post a surety bond or irrevocable letter of credit in the amount of \$25,000 per location. The bond amount would be capped at \$200,000. The bond would be for the benefit of any person injured by the lender'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. (03/24)
LA	HB 866	03/14/2016 HB 866 has been introduced.	Miscellaneous Bond— Wireless Facilities	HB 866 would prohibit state and 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 could not exceed a reasonable estimate of the direct cost of the facility's removal. (03/26)
MA	HB 4125	03/28/2016 HB 4125 has been introduced.	License Bond— Residential Selling Businesses	HB 4125 would authorize municipalities to regulate persons conducting sales of goods from their residence. Such persons would have to obtain a license and post a \$10,000 bond conditioned on compliance with the applicable law. (04/04)
MD	HB 535	03/31/2016 HB 535 passed the second reading in the Senate.  04/04/2016 SB 734 has been scheduled for a hearing in committee in the House.	Miscellaneous Bond— Structured Settlement Transferees	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/ SB 996	03/29/2016 HB 890 passed the Senate.  04/05/2016	Court Bond— Tenant Cases	HB 890/SB 996 would repeal 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 must post a bond in connection with these proceedings. With the repeal of the procedures, the bond would be eliminated as well. (03/30)

		SB 996 has been reported from committee in the House.		
MI	HB 4629	03/22/2016 HB 4629 passed the House.	Court Bond— Property Cases	HB 4629 would eliminate the bond required for persons filing a claim on property that a local government has seized during a criminal proceeding. The law requires a bond for 10% of the value of the property, but it cannot be less than \$250 or more than \$5,000. The bond is conditioned paying the cost of the forfeiture proceedings if the court declares the property forfeited. (03/24)
MN	SB 2398/ HB 2478	03/23/2016 SB 2398 passed out of committee in the Senate with amendments.  03/29/2016 HB 2478 has been passed of committee and was referred to an additional committee in the House.	Cost Bonds	SB 2398/HB 2478 would revise the cost 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 cost bond for all appeals. (04/02)
MN	SB 2526/ SB 2835/ HB 3211	03/10/2016 Sb 2526 has been introduced.  04/04/2016 SB 2835 has been passed of committee and was referred to	Miscellaneous Bond— Advance Deposit Wagering	SB 2526/SB 2835/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. (03/24)

		<p>an additional committee in the Senate.</p> <p>03/31/2016 HB 3211 has been passed of committee and was referred to an additional committee in the House.</p>		
MN	HB 2540	<p>03/30/2016 HB 2540 has been reported from committee in the House with amendments.</p>	Miscellaneous Bond— Fantasy Contest Operators	<p>HB 2540, 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. (04/02)</p>
MN	SB 2569/ HB 3325	<p>04/01/2016 SB 2569 has passed out of committee in the Senate with amendments and has been referred to an additional committee.</p> <p>03/17/2016 HB 3325 has been introduced.</p>	Miscellaneous Bond— Autonomous Vehicle Technology Testing	<p>SB 2569/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. (03/31)</p>

MN	SB 2866/ SB 2793	03/30/2016 SB 2866 has passed out of committee in the Senate with amendments.  03/31/2016 SB 2793 passed out of committee with amendments.	Miscellaneous Bond— Invasive Species	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)
MN	SB 2876/ HB 3695	03/24/2016 SB 2876 passed out of committee in the Senate.  03/29/2016 HB 3695 has been introduced.	License Bond—Money Transmitters	SB 2876/HB 3695 would increase the amount of the license bond required for money transmitters as follows: from \$25,000 to \$100,000 for one to two locations; from \$50,000 to \$200,000 for three to six locations; and if the licensee will do business seven or more locations, the bill would increase the amount that the bond must be increased by for each additional location from \$50,000 per additional location to \$400,000 per additional location. The bill would increase the cap on the bond amount from \$250,000 to \$2 million. The bill would authorize the bond amount to be increased based on the licensee’s level risk. 03/31)
MN	SB 2962/ HB 3047	03/24/2016 SB 2962 has been reported from committee with amendments and referred to an additional committee in the Senate.  03/14/2016	School Bond	SB 2962/HB 3047 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.” (03/31)

		HB 3047 has been introduced.		
MN	HB 3186/ SB 3161	03/23/2016 SB 3161 has been introduced.  03/31/2016 HB 3186 has been reported from committee with amendments and referred to an additional committee in the House.	License Bond—Grain Buyers	HB 3186/SB 3161 would increase the license bond require for grain buyers. Current law requires a bond or other security in an amount ranging from \$10,000 to \$150,000 based on the buyer’s gross annual purchases. For buyers with purchases ranging from \$3 million to \$6 million, the bill would increase from \$50,000 to \$300,000; from \$70,000 to \$400,000 for purchases ranging from \$6 million to \$12 million; from 125,000 to \$500,000 for purchases ranging from \$12 million to \$24 million; and from \$150,000 to \$600,000 for purchases exceeding \$24 million. (04/02)
MN	HB 3309/ SB 3175	03/24/2016 SB 3175 has been introduced.  03/31/2016 HB 3309 has been reported from committee in the House with amendments.	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 business transactions starting from dollar one. (04/02)
MN	SB 3255/ HB 3463	03/29/2016 SB 3255/HB 3463 have been introduced.	License Bond—Cigarette and Tobacco Retailers	SB 3255/HB 3463 would establish procedures for revoking a cigarette and tobacco retail license for having contraband cigarettes or tobacco products and for obtaining a new license following the revocation of the original license. To obtain a new license, the applicant would have to furnish a surety bond or other security equal to ten times the amount of tax on the contraband cigarettes or tobacco products. (04/04)

MN	SB 3352/ HB 3698	04/04/2016 SB 3352 has been reported from committee with amendments and referred to an additional committee in the Senate.  03/29/2016 HB 3698 has been introduced.	Financial Assurance-- 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)
MO	SB 698	03/31/2016 SB 698 passed the Senate.	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. (03/31)
MO	SB 1097	04/05/2016 SB 1097 has been heard in committee in the Senate,	Uniform Commercial Code	SB 1097 would revise the definition of surety in the Uniform Commercial Code to add the phrase "other secondary obligor" to the existing definition of "guarantor." (03/11)
MO	HB 1941	04/05/2016 HB 1941 passed the House.	Miscellaneous Bond— Fantasy Contest Operators	HB 1941, 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. (04/06)
MO	HB 1976	03/29/2016 HB 1976 passed the House.	Miscellaneous Bond— Towing Companies	HB 1976, as amended, would require towing companies performing services for a law enforcement agency to obtain a bond or insurance that provides coverage for the death of, or injury to, persons and damage to property for each accident or occurrence in the amount of at least \$500,000 per incident. (03/31)
MO	HB 2213	03/08/2016	License Bond—	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

		HB 2213 has passed out of committee in the House with a substitute.	Marijuana Businesses	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. (03/14)
MO	HB 2631	03/31/2016 HB 2631 has passed out of committee in the House.	Tax Bond-- Retailers	HB 2631 would revise the bond requirement for retailers to reduce it from three times to two times the retailer's average monthly tax liability. The bill also would allow the retailer to be released from the bonding requirement if it demonstrates tax compliance for one year instead of for two years as required under current law. (03/02)
MS	HB 1189	04/05/2016 HB 1189 has been sent to the Governor.	Public Official Bonds	HB 1189 would repeal the \$5,000 bond required for information confidentiality officers and would require liability insurance instead. (04/07)
MS	HB 1529	04/01/2016 HB 1529 has been sent to conference committee.	Caps on Appeal Bonds	HB 1529, as amended, would cap the appeal bond required in civil litigation cases at not more than 75% of the appellant's net worth or the amount of the judgment, whichever is less. The bill would have capped the bond at not more than \$25 million or not more than \$1 million for small businesses as introduced. Appellees found to be dissipating assets outside the normal course of business to avoid paying a judgment could be required to post a bond for up to the full amount of the judgment. (03/30)
MS	SB 2409	03/30/2016 SB 2409 has been sent to conference committee.	License Bond—Credit Availability Lenders	SB 2409 would require credit availability lenders to be licensed and post a \$10,000 surety bond or other security conditioned on performance of its business obligations and on payment of any judgments against the licensee for violations of the applicable law. The bond or security would be forfeited if the licensee is convicted of violations of the bill's provisions. (03/28)
NE	LB 730	03/30/2016 LB 730 has been enacted.	License Bond—Grain Warehouses	LB 730 revises the existing bond requirements for grain warehouse licensees to provide that the bond or other security 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 new law deletes the provision that the bond was for the benefit of persons who hold a check for purchase of grain stored in the warehouse that the licensee issued. (03/31)
NE	LB 881	04/01/2016	Performance Bond—Energy	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

		LB 881 has been sent to the Governor.	Conservation Contracts	the design, installation, modification, commissioning, maintenance, and financing of such measures. (03/24)
NH	SB 144	03/21/2016 SB 144 has been enacted.	Miscellaneous Bond—Bingo Halls	SB 144 requires halls hosting carry-over coverall bingo to post a surety bond in an amount not less than \$50,000 and not more than the highest prized jackpot prize offered in the last 24 months, as the Lottery Commission determines by rule. The bond is conditioned on compliance with the applicable regulations. (03/24)
NH	HB 1618	03/09/2016 HB 1618 passed the House.	License Bond—Debt Adjustment Service 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. (04/02)
NJ	AB 310/ SB 1696	03/14/2016 AB 310 was amended on the Assembly floor.  02/29/2016 SB 1696 has been introduced.	Court Bond—Patent Cases	AB 310/SB 1696 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 due to the target of the lawsuit. (03/31)
NJ	SB 1697	02/29/2016 SB 1697 has been introduced.	Court Bond—Property Cases	SB 1697 would authorize a court to issue an order attaching real property when there is probable cause to believe that its owner has committed or is about to commit the crime of terrorism or soliciting or providing material support or resources for terrorism. A hearing could be held to contest the charges and the person would be required to post a bond or "other adequate surety" to obtain a release of the attachment on his or her property. The bond would have to guarantee that upon the defendant's conviction, adequate funds or assets would be available to pay complete restitution to victims of the alleged offense. (03/11)
NJ	SB 1811/ AB 1676	03/07/2016 SB 1811 has been introduced.	Release of Lien Bond	SB 1811/AB 1676 would require inmates with sufficient means to pay their incarceration costs. The bill provides that the State would have a lien against the property and income of each inmate confined in a State correctional institution for the amount of the fee that the bill would create. To obtain a release of the lien, the inmate could post a bond or cash in an amount that the court would determine. (03/24)

		AB 1676 has not moved since last reported.		
NJ	AB 1815/ AB 1832/ SB 1235	03/07/2016 AB 1815 has been reported from committee with a substitute and has been referred to an additional committee in the Assembly.  AB 1832/SB 1235 have not moved since last reported.	License Bond— Tobacco Distributors	AB 1815/AB 1832/SB 1235 would require tobacco distributors to post a minimum \$10,000 license bond to secure the licensee's compliance with the applicable law. AB 1815 also would specify the tax bond required under current law for tobacco distributors and wholesalers would have to be at least \$10,000. (03/24)
NJ	SB 1849/ AB 2857	03/07/2016 SB 1849 has been introduced.  AB 2857 has not moved since last reported.	Court Bond— Fiduciaries	SB 1849/AB 2857 would revise the law concerning the discharge or removal of a fiduciary to specify that fiduciaries who resign or are removed as set forth in the governing instrument of a trust shall not release or discharge the fiduciary or his or her surety from liability for the estate or trust that the fiduciary has or ought to have received, or for any neglect, default, miscarriage or breach of trust in the execution of his or her office. (03/09)
NJ	SB 1927	03/14/2016 SB 1927 has passed out of committee in the Senate with amendments.	Miscellaneous Bond— Fantasy Contest Operators	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. (03/24)
NJ	SB 1931/ AB 1638	03/10/2016	Caps on Appeal Bonds	SB 1931/AB 1638 would cap the amount of the appeal bond for civil cases at the amount of the judgment or \$50 million, whichever is less. The bill provides that if an appellee proves

		<p>SB 1931 has been introduced.</p> <p>AB 1638 has not moved since last reported.</p>		<p>that an appellant is concealing its assets, or is dissipating or diverting assets outside the ordinary course of business to avoid payment of a judgment, the court could the appellant to post a bond for up to the total judgment amount. (03/14)</p>
NJ	SB 1941/ AB 2471	<p>03/14/2016 SB 1941 has been introduced.</p> <p>AB 2471 has not moved since last reported.</p>	License Bond—Money Transmitter	<p>SB 1941/AB 2471 provides that a money transmitter would be liable to a purchaser or holder of an outstanding payment instrument that the licensee issued or the licensee's authorized delegate received for transmission and is set-off by a financial institution. If the licensee has insufficient assets to make the purchaser or holder whole for the instrument, the purchaser or holder will be entitled to reimbursement under the surety bond or deposit required under existing law. (03/31)</p>
NY	SB 2232/ AB 5501	<p>03/16/2016 SB 2232 has been amended and recommitted to committee in the Senate.</p> <p>04/04/2016 AB 5501 is on the Assembly floor.</p>	Court Bond— Lien Cases	<p>SB 2232/AB 5501 would establish procedures for posting the bond in connection with lien cases for the payment of wages. The bond would have to be for no more than \$500. The bill would allow the court to waive the bond requirement for these cases. (03/22)</p>
NY	SB 6406	<p>04/01/2016 SB 6406 has been enacted.</p>	Workers' Compensation Self-Insurers	<p>SB 6406 is a budget bill that includes provisions to eliminate the separate security requirements for self-insurers of disability benefits and subjects them to the existing self-insurance requirements for all private employers, which includes a requirement for surety bonds or other security. (04/02)</p>
NY	SB 6409	<p>04/01/2016 SB 6409 has been sent to the Governor.</p>	Tax Bond— Motor Fuel Wholesalers	<p>SB 6409 is a budget bill that would authorize 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 could require additional bonds or other security if necessary. (04/02)</p>

NY	Multiple Bills	See Summary	Costs Bonds— Tax Cases	<p>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 in 2016:</p> <p><b><i>Hotel Occupancy Tax:</i></b> SB 6872/AB 9420 (Town of Greenburg and Village of Sleepy Hollow)—Introduced; SB 6965 (Clifton Park)—Introduced; AB 9691/SB 7134 (Town of North Castle)—Introduced; SB 7135 (Town of North Harrison)—Introduced; AB 9690 (Village of Tuckahoe)—Introduced; AB 9692 (Village of Harrison)—Introduced; AB 9693 (Village of Mamroneck)—Introduced; and AB 9694 (Village of Port Chester)—Introduced.</p>
OH	SB 293	03/10/2016 SB 293 has been introduced.	Miscellaneous Bond—Timber Sales	SB 293 would revise the bond amount required in connection with a timber sale so that the Chief of the Division of Forestry would determine the amount required. Current law requires a bond equal to 25% of the highest value cutting section. (04/02)
OK	SB 1069	04/04/2016 SB 1069 passed the House with amendments, sending it back to the Senate.	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. (02/25)
OK	SB 1341	03/31/2016 SB 1341 has been sent to the Governor.	Appeal Bond	SB 1341 would require an appeal bond to be posted for any appeal from any action, decision, ruling, judgment or order of the Board of Adjustment. (04/04)
RI	SB 2514	03/29/2016 SB 2514 has been held in committee in the Senate for study.	Miscellaneous Bond— Autonomous Vehicle Technology Testing	SB 2514 would require entities testing vehicles with autonomous technology on public roads to submit insurance, a surety bond, or proof of self-insurance for \$5 million. (03/02)

RI	SB 2542	03/10/2016 SB 2542 has been held in committee in the Senate for study.	Court Bond— Patent Cases	SB 2542 would prohibit bad faith assertions of patent infringement in lawsuits. If the court determined there is a 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 \$500,000. The bond would be conditioned upon payment of any amounts due to the target. (03/02)
RI	SB 2769/ HB 7957	03/10/2016 SB 2769 has been introduced.  03/29/2016 HB 7957 has been held in committee in the House for study.	Miscellaneous Bond— Business Sales	SB 2769/HB 7957 would repeal a requirement to post a \$20,000 bond in connection with acting as a broker for the sale of an existing business, the transfer of the materials, supplies, merchandise, or other inventory of an existing business, for a bulk transfer. (03/26)
RI	HB 7905	04/04/2016 HB 7905 is pending in committee in the House.	Court Bond— Receivers	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. (03/26)
RI	HB 7917/ HB 7938	03/10/2016 HB 7917/HB 7938 have been introduced.	Miscellaneous Bond— Fantasy Contest Operators	HB 7917/HB 7938 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. (03/26)
SC	SB 771/ HB 5094	04/06/2016 SB 771 passed the Senate.  03/10/2016 HB 5094 has been introduced.	License Bond— Recreational Vehicle Dealers	SB 771/HB 5094 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. (04/07)

SC	HB 4151	03/14/2016 HB 4151 has been enacted.	Tax Bond— Cigarette Distributors	HB 4151 revises the Department of Revenue’s authority to require cigarette distributors to post a bond or a statement of financial stability. Prior law required the bond to cover possible losses resulting from failure to remit the existing law’s taxes on cigarettes. The new law authorizes the Department to require cigarette distributors obtaining stamps to pay taxes to post a bond or other security equal to 110% of their tax liability for 30 days. The minimum bond is \$2,000. (03/24)
SC	HB 4554	03/17/2016 HB 4554 passed the House.	License Bond—Money Transmitters	HB 4554 would require money transmitters to be licensed and post a surety bond or other security equal to \$50,000 plus \$10,000 per location. The maximum amount would be \$250,000, unless the Securities Commissioner determines 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 license obligations. The bill would permit direct actions and provides for a five year tail. (03/22)
SD	SB 54	03/11/2016 SB 54 has been enacted.	Court Bond— Guardians and Conservators	SB 54 revises 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. (03/15)
TN	SB 2668	04/05/2016 SB 2668 has been sent to the Governor.	Public Official Bonds	SB 2668 would set forth the charter for the City of Eaglesville. The charter would require the city manager and every officer and employee handling the city’s money to provide a fidelity bond. The City Council would determine the amount required. Personal bonds would be permitted for bonds that are less than \$500. (03/23)
TN	SB 2678	03/21/2016 SB 2678 has been introduced.	Public Official Bonds	SB 2678 would require the officers, agents and employees of the City of Rocky Top who receive, disburse, have custody of, or handle of money to post a bond for the amount that the City Council requires. (04/02)
UT	HB 323	03/25/2016 HB 323 has been enacted.	Court Bond	HB 323 regulates continuing care facilities. The new law authorizes a court to refuse to make or vacate an order to rehabilitate a provider's facility if the provider posts a bond that is in an amount that the court determines is equal to the reserve funding the provider needs to fulfill its obligations under the continuing care contracts for the facility. (04/02)
VA	HB 389	04/05/2016 HB 389 has been vetoed.	School Bond	HB 389 would have established a state scholarship program for students with disabilities through Education Savings Accounts that would have allowed the student to attend a private school. The bill provided that resident school divisions would have had to adopt policies that the Department of Education establishes, including requirements for account holders to obtain a surety bond if necessary. (03/18)
VA	SB 646	03/07/2016	Miscellaneous Bond—	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

		SB 646 has been enacted.	Fantasy Contest Operators	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. (03/14)
VA	HB 1094	03/29/2016 HB 1094 has been enacted.	Public Official Bonds	HB 1094 repeals the bond requirement for employees of the Peanut Board who handle its funds. (03/31)
VA	HB 1341	03/07/2016 HB 1341 has been enacted.	Public Official Bonds	HB 1341 repeals 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. (03/14)
VT	SB 223	02/26/2016 SB 223 passed the Senate.	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. (03/14)
WI	AB 698	03/30/2016 AB 698 has been enacted.	Financial Responsibility— Liquefied Petroleum Gas	AB 698 repeals 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 may be used to meet this requirement under the new law. (04/04)
WV	SB 326	03/23/2016 SB 326 has been enacted.	Court Bond	SB 326 increases 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. (03/28)
WV	SB 437	04/01/2016 SB 437 has been vetoed.	License Bond— Boxing Matches	SB 437 would have exempted USA Boxing and the United States Olympic Team from the license bond requirement in current law for clubs, corporations, associations or individuals holding boxing matches. (04/04)