

**THE SURETY & FIDELITY ASSOCIATION OF AMERICA**

**MEMORANDUM**

**TO:** Government Affairs Advisory Committee

**FROM:** Daniel Wanke

**RE:** Commercial Surety Legislation

**DATE:** June 3, 2016

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There are 11 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. Colorado, Illinois, Minnesota, Missouri, New Hampshire, Oklahoma, and South Carolina have adjourned since the last report. Delaware, Louisiana, New York, North Carolina, and Rhode Island are projected to adjourn in June. The following report compiles and summarizes the commercial surety legislation that SFAA is tracking as of June 3, 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>SFAA Summary</b>
AK	HB 247/ SB 130	05/24/2016 HB 247 has been sent to a conference committee.	Miscellaneous Bond—Oil and Gas Businesses	HB 247/SB 130 would require oil or gas businesses conducting exploration, development, or production to post a \$250,000 bond or other security conditioned on the payment of taxes and contributions owed to the State and its political subdivision, payment to persons furnishing labor or material or renting or supplying equipment to the business, and any judgments against the business. The bill would permit direct actions on the bond, but the surety's aggregate liability would be limited to the bond amount. (06/01)
AZ	SB 1306	05/18/2016 SB 1306 has been enacted.	Miscellaneous Bond—Developers	SB 1306 revises the law concerning the development fees that a county may charge so that it requires 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. (05/20)

AZ	SB 1422	05/11/2016 SB 1422 has been enacted.	License Bond—Home Inspectors	SB 1422 provides that the bond require for home inspectors under existing law in connection with certification must be retroactive to the home inspector’s certification date. The bond must be obtained within 60 days following certification. The new law repeals the option to post a form of financial assurance in lieu of the bond. Current law also permits errors and omissions insurance in lieu of the bond. (05/16)
AZ	HB 2348	05/11/2016 HB 2348 has been enacted.	Appeal Bond	HB 2348 requires 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 must 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. (05/16)
AZ	HB 2342	04/05/2016 HB 2342 has been enacted.	Counter-signatures	HB 2342 repeals the countersignature law and replaces it with a requirement that the policy, declarations page or endorsement must identify the name of the insurance producer. As enacted, an authorized insurer may not issue a policy covering a subject of insurance resident, located or to be performed in Arizona without identifying the insurance producer. The list of lines of business and types of policies that were exempt from the countersignature law remain the same. Bid bonds are exempt, which means that this new requirement applies to surety and fidelity bonds. The effective date of the new law is August 6, 2016.
AZ	HB 2444	05/17/2016 HB 2444 has been enacted.	Miscellaneous Bond—Towing Companies	HB 2444 requires towing company employees conducting a level one motor vehicle inspection to post a bond for not more than \$25,000. The bond must cover all of the towing company’s locations. (05/19)
CA	AB 2059	05/19/2016 AB 2059 is to the third reading 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. (05/05)
CA	AB 2729	06/02/2016 AB 2729 passed the Assembly.	Financial Assurance—Oil and Gas Wells	AB 2729 would increase the amount of the bond required for oil and gas well operators from \$25,000 to \$50,000 for each well that is less than 10,000 feet deep, and from \$40,000 to \$80,000 for each well that is 10,000 or more feet deep. The bill increase the blanket bond amount for operators with multiple wells from \$200,000 to \$400,000 for 50 or fewer wells. A \$400,000 bond would be required for 50 to 5000 wells. The \$2 million blanket bond

				would apply if the operator has more than 500 wells, but less than 1,500 wells. The bill would add a \$3 million blanket bond for operators with more than 1,500 wells. (06/03)
CA	AB 2899	05/23/2016 AB 2899 passed the Assembly.	Court Bond	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. The bond would be forfeited for a failure to pay the amount owed if not paid. (05/09)
CO	SB 36	05/20/2016 SB 36 has been sent to the Governor.	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. (05/23)
CO	SB 69	05/20/2016 SB 69 has been sent to the Governor.	Miscellaneous Bond— 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. (05/23)
CO	HB 1129	05/20/2016 HB 1129 has been sent to the Governor.	Miscellaneous Bond— Charity Solicitors	HB 1129 would require paid solicitors for a charitable organization to post a \$15,000 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. (05/24)
CO	HB 1261	05/18/2016 HB 1261 has been sent to the Governor.	License Bond— Marijuana Businesses	HB 1261 would repeal the license bond required for retail marijuana establishments. The law requires a \$5,000 surety bond conditioned on payment of the applicable taxes. (05/20)
CO	HB 1360	05/11/2016 HB 1360 has been sent to the Governor.	Miscellaneous Bond— Midwives	HB 1360 would require the Executive Director of the Department of Regulatory Agencies to convene a working group to investigate ways to manage risks in practicing midwifery. The working group would have to assess risk management tools such as professional liability insurance; a joint underwriting authority; a risk retention group; letters of credit; and posting surety bonds or other security to satisfy a claim based on professional negligence. The working group would have to report its findings to the Executive Director by October 1, 2016. (05/12)

CO	HB 1404	05/18/2016 HB 1404 has been sent to the Governor.	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. (05/23)
CT	HB 5444	05/25/2016 HB 5444 has been sent to the Governor.	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. (05/24)
CT	HB 5591	05/13/2016 HB 5591 has been sent to the Governor.	Public Official Bonds	HB 5591 would create the Connecticut Retirement Security Authority. Members of the Authority's board of directors who handle funds or sign checks for the Connecticut Retirement Security Program, and any other authorized officer would have to post a \$50,000 bond. A blanket position bond covering the executive director, every board member, and other Authority employee or authorized officer that is equal to \$50,000 would be accepted in lieu of individual bonds. (05/12)
GA	HB 899	04/27/2016 HB 899 has been enacted.	Miscellaneous Bond— Nonparticipating Tobacco Manufacturers	HB 899 requires 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 must 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 is conditioned on the deposit of the manufacturer's escrow payments. (05/09)
GA	HB 930	04/27/2016 HB 930 has been enacted.	Public Official Bonds	HB 930 sets forth the charter for the City of Blairsville. The new law requires the city's officers and employees of this city to post bonds in the amount and with the conditions that the city council requires. The new law authorizes the municipal court to set bail and accept a bond, cash, or personal or real property as surety for the appearance of a defendant. The bond will be forfeited if the defendant fails to appear in court. (05/09)
GA	HB 1007	04/28/2016 HB 1007 has been enacted.	Public Official Bonds	HB 1007 establishes a new charter for the City of Pelham. The charter requires 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 authorizes the court to set bail requirements, including forfeiture of the bond if the defendant does not appear. (05/09)

GA	HB 1020	05/03/2016 HB 1020 has been enacted.	Public Official Bond	HB 1020 sets forth the charter for the City of Hogansville. The new law requires the city's officers and employees of this city to post bonds in the amount and with the conditions that the city council requires. The new law authorizes the municipal court to set bail and accept a bond, cash, or personal or real property as surety for the appearance of a defendant. The bond will be forfeited if the defendant fails to appear in court. (05/09)
GA	HB 1082	05/03/2016 HB 1082 has been enacted.	Public Official Bonds	HB 1082 sets forth the charter for the City of Blakely. The new law requires the city's officers and employees to post bonds in the amount and with the conditions that the city council requires. The new law authorizes the municipal court to set bail and accept a bond, cash, or personal or real property as surety for the appearance of a defendant. The bond will be forfeited if the defendant fails to appear in court. (05/09)
GA	HB 1125	05/03/2016 HB 1125 has been enacted.	Public Official Bonds	HB 1125 sets forth the charter for the City of Surrency. The new law requires the city's officers and employees of this city to post bonds in the amount and with the conditions that the city council requires. The new law authorizes the municipal court to set bail and accept a bond, cash, or personal or real property as surety for the appearance of a defendant. The bond will be forfeited if the defendant fails to appear in court. (05/09)
GA	HB 1126	05/03/2016 HB 1126 has been enacted.	Public Official Bonds	HB 1126 sets the charter for the City of Graham. The new law requires the city's officers and employees of this city to post bonds in the amount and with the conditions that the city council requires. The new law authorizes the municipal court to set bail and accept a bond, cash, or personal or real property as surety for the appearance of a defendant. The bond will be forfeited if the defendant fails to appear in court. (05/09)
GA	HB 1133	05/03/2016 HB 1133 has been enacted.	Public Official Bonds	HB 1133 sets forth the charter for the City of Lumpkin. The new law requires the city's officers and employees of this city to post bonds in the amount and with the conditions that the city council requires. The new law authorizes the municipal court to set bail and accept a bond, cash, or personal or real property as surety for the appearance of a defendant. The bond will be forfeited if the defendant fails to appear in court. (05/09)
HI	SB 2850	05/09/2016 SB 2850 has been sent to the Governor.	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. (05/10)
HI	SB 2910	05/09/2016	Public Official Bonds	SB 2910 would increase the bond required for the members of the Time Share Commission of Deeds from \$1,000 to \$10,000. (05/10)

		SB 2910 has been sent to the Governor.		
IA	SB 492	05/27/2016 SB 492 has been enacted.	Miscellaneous Bond— Disaster Case Management	SB 492 establishes a disaster case management fund and provides for the adoption of rules to implement a statewide system of disaster case management. The rules must allow the Department of Human Services to accept a surety bond or other form of financial responsibility that a local administrative entity previously provided in connection with another contract with the State to provide services or implementing a state or federal program in lieu of a new requirement. (06/01)
IA	HB 2436	05/27/2016 HB 2436 has been enacted.	License Bond—Real Estate Appraisal Management Companies	HB 2436 requires real estate appraisal management companies to be licensed and to obtain 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 new law permits direct actions on the bond. The Superintendent of the Division of Banking will determine the bond's terms through regulations. (06/01)
IL	HB 1056	05/18/2016 HB 1056 has been sent to the Governor.	License Bond— Manufactured Home Dealers	HB 1056 would require manufactured home dealers and community-based manufactured home dealers to be licensed and post a \$20,000 bond or certificate of deposit per license. The bond would be conditioned on the proper transmittal of all title and registration fees and taxes that the dealer accepts. The bond would have to be in place for the license term. Dealers in business for over five years may substitute insurance for the bond or certificate of deposit upon license renewal. (05/24)
IL	HB 3071	05/31/2016 HB 3071 has been sent to the Governor.	Public Official Bonds	SB 3071 would eliminate the duty for the State Treasurer to serve as the treasurer of the Illinois State Board of Investment. The law requires the State Treasurer to post a bond in connection with this duty, which would be eliminated along with this duty. The bill provides for the appointment of custodians for the Board, but does not provide for a bond requirement. (06/01)
IL	HB 4492	05/26/2016 HB 4492 has been sent to the Governor.	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. (04/25)
LA	HCR 72	05/19/2016	Financial Assurance—	HCR 72 requests the Department of Natural Resources to develop an alternate method of contracting with operators or other qualified bidders for services to plug orphaned oil and

		HCR 72 has been adopted.	Oil and Gas Wells	gas well sites as a pilot program for three years. The program must include a requirement for a performance bond or letter of credit “to an amount below [50%] of the contract.” (05/23)
LA	SB 183	05/27/2016 SB 183 has been enacted.	License Bond—Cosmetology Schools	SB 183 increases the bond amount required for cosmetology schools that charge tuition from \$5,000 to \$30,000. (06/01)
LA	HB 208	05/26/2016 HB 208 has been enacted.	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. (06/01)
LA	HB 271	06/01/2016 HB 271 has been enacted.	License Bond—Motor Vehicle Dealers	HB 271 increases the bond amount for used motor vehicle dealers to \$50,000 for all dealers. Prior law required 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 new law makes 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. (06/03)
LA	SB 427	06/02/2016 SB 427 has been sent to the Governor.	Financial Assurance—Oil and Gas Wells	SB 427 would require the Commissioner of Conservation to adopt regulations for plugging dry or abandoned oil and gas wells that include a requirement to provide a bond to secure the performance of the well plugging, site closure, and cleanup. The bill also would permit credits that could be transferred between wells to be used in lieu of the bond. Such credits would be given for plugging orphaned wells that have been inactive for at least five years. Some wells would be exempt from the bond requirement, including wells exempt prior to September 1, 2015, that remain with the operator of record as of that date, wells utilizing plugging credits, wells that are exempt under current law. (06/03)
LA	SB 447	05/25/2016 SB 447 is to the third reading in the House.	Court Bond—Lease Awards	SB 447 would require persons filing a suit or appealing a lease or sublease award from a public benefit corporation to post security, if necessary, according to the existing law’s requirements for civil procedure. (06/01)
LA	HB 1127	05/31/2016 HB 1127 passed the Senate with	License Bond—Auto	HB 1127 would increase the bond amount required for auto title companies from \$10,000 to \$100,000 if the company has one location in the State and from \$20,000 to \$125,000 if the company has more than one location in the State. (06/01)

		amendments. The bill has been sent to the House for concurrence.	Title Companies	
LA	HB 1133	05/26/2016 HB 1133 has been sent to the Governor.	Miscellaneous Bond— Amusement Parks	HB 1133 would require owners or operators of an amusement attraction or amusement ride to provide either an insurance policy or surety bond for not less than \$1 million. The surety's aggregate liability would not exceeding the bond amount. (05/27)
MA	HB 4196	04/25/2016 HB 4196 has been introduced.	License Bond— Money Transmitters	HB 4196 would revise the law for money transmitters handling foreign deposits to require a bond or other security from all money transmitters for \$50,000 plus \$10,000 per location. The bond would be capped at not more than \$450,000. Under current law, the bond amount must be equal to twice the average weekly amount of money or its equivalents transmitted to foreign countries. The bond cannot be less than \$50,000. If the licensee has more than one location, the bond must be for \$50,000, or twice the average total weekly amount of money or equivalents thereof transmitted to foreign countries from all locations, whichever is greater. The bill provides that the surety's aggregate liability could not exceed the principal sum of the bond. The bill also would add a five-year tail to the bond requirement. (05/02)
MI	SB 922	04/28/2016 SB 922 has been introduced.	Financial Assurance— Electronic Waste	SB 922 would require electronic waste recyclers to furnish a bond or other security as financial assurance for the closure of a recycling site. The bond or security would have to be equal to the cost estimate for closing the site. (05/26)
MI	HB 5648	05/12/2016 HB 5648 has been introduced.	Miscellaneous Bond—Public Accounting Firms	HB 5648 would require public accounting firms providing compilation or attestation services for a public body to post a minimum \$25 million bond as determined by the firm to secure the firm's obligations in the conduct of its business. Liability insurance for the same amount also would be required. (05/19)
MN	HB 2478	05/12/2016 HB 2478 has been enacted.	Court Bond	HB 2478 revises the cost bond requirement for appeals to the Workers' Compensation Court of Appeals so that the Court only will require it when a motion is filed showing extraordinary circumstances require one to be posted. Prior law required a cost bond for all appeals. (05/25)
MN	HB 2749	06/01/2016 HB 2749 has been enacted.	Permit Bond—	HB 2749 addresses invasive species in Lake Minnetonka. The new law requires service providers with zebra mussels attached to their water equipment that are returning the



			Service Providers	equipment to the lake to obtain a permit and post a \$50,000 surety bond that is payable for violations of the law. (06/01)
MN	SB 3175	05/20/2016 SB 3175 has been enacted.	License Bond— Bullion Dealers	SB 3175 revises the bond requirement for bullion dealers so that the bond is required for dealers with transactions exceeding \$25,000. Under prior law, the bond was required for all dealers and the amount is based on their volume of transactions starting from dollar one of their business transactions. (05/24)
MN	HB 3211	05/31/2016 HB 3211 has been enacted.	Miscellaneous Bond— Advance Deposit Wagering	HB 3211 authorizes advance deposit wagering for on-track pari-mutuel betting on horse racing. The advance deposit wagering provider must provide a bond or other security to secure the payment of all applicable fees. The Minnesota Racing Commission (Commission) determines the amount required. The provider may submit a bond or other security filed in another state as evidence of financial responsibility. Additional bonding may be required if the Commission determines it is necessary. (06/01)
MO	SB 578/ HB 1765	05/25/2016 SB 578/HB 1765 have been sent to the Governor.	Court Bond— Receivers	SB 578/HB 1765 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. (06/01)
MO	SB 823	05/25/2016 SB 823 has been sent to the Governor.	Tax Bond— Retailers	SB 823 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. (06/01)
MS	HB 1529	05/13/2016 HB 1529 has been enacted.	Caps on Appeal Bonds	HB 1529 caps the appeal bond required in civil litigation cases to be equal to the total amount of the judgment, but not to exceed 50% of the appellant's net worth. However, in no event can the appeal bond be larger than \$35 million. Appellees found to be dissipating assets outside the normal course of business to avoid paying a judgment may be required to post a bond for up to the full amount of the judgment. (05/23)
MS	SB 2409	05/13/2016 SB 2409 has been enacted.	License Bond— Lending Businesses	SB 2409 requires 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 will be forfeited if the licensee is convicted of violations of the new law's provisions. (05/19)

MS	SB 2541	05/12/2016 SB 2541 has been enacted.	Miscellaneous Bond— Fantasy Contest Operators	SB 2541 requires fantasy contest operators to adopt procedures for operating the contest that includes segregating the fantasy contest players' funds from its operational funds and to maintain a reserve in the form of a bond or other security equal to the deposits in the fantasy contest players' accounts. (05/19)
NC	SB 729	05/11/2016 SB 729 has been enacted.	Tax Bond— Cigarettes  Tax Bond— Oil and Gas	SB 729 revises the bond amount required for cigarette distributors, wholesale dealers, and retail dealers, and oil and gas producers, which the Secretary of Revenue sets based on the dealer or distributor's anticipated tax liability. The new law provides that the bond amount for these entities must be twice the average expected monthly tax liability. The bond cannot be for less than \$2,000 or more than \$2 million under the new law. For oil and natural gas producers, the bond amount required is twice the producer's average expected monthly tax liability, and the bond only is required if the producer fails to file its tax returns. The bond now will be required for all producers to obtain a permit and it cannot be for less than \$2,000 or more than \$2 million under the new law. (05/12)
NC	SB 843	05/11/2016 SB 843 has been introduced.	Financial Assurance— Renewable Energy	SB 843 would subject renewable energy facilities to the financial assurance requirements for wind energy facilities. The financial assurance secures the decommissioning of the facility and reclamation of the site. Surety bonds are accepted to meet this requirement. The bill also would require an additional surety bond in an amount not less than 15% of the assessed value of the real property and installed wind or renewable energy property for financial assurance. (05/19)
NJ	SB 684	05/02/2016 SB 684 passed out of committee in the Senate and was referred to an additional committee.	Public Official Bond	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.(05/05)
NJ	SB 2170/ AB 1476	05/09/2016 SB 2170 has been introduced.	School Bond	SB 2170/AB 1476 would establish an education savings account program as part of a school choice program. If the State Treasurer anticipates that participating entities would receive \$50,000 or more from these accounts during the school year, they 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. (05/19)

		AB 1476 has not moved since last reported.		
NJ	AB 3693	05/19/2016 AB 3693 has been introduced.	Miscellaneous Bond— Security Deposit Court Bond— Receivers	AB 3693 would allow tenants in a residential building to post a bond in lieu of a security deposit for an amount equal to all or part of the deposit, which could not exceed one and a half month's rent. The bill provides for placing the building into receivership and the receiver would have to be bonded. The court could require an owner to post a bond or other security for buildings in receivership for an amount up to 50% of the fair market value of the building to secure against code violations. (05/24)
NJ	AB 3745	05/19/2016 AB 3745	Miscellaneous Bond— Autonomous Vehicles	AB 3745 would allow for the testing of autonomous vehicle technology of public roads. The bill would require the manufacturer to provide insurance, a surety bond, or proof of self-insurance for \$5 million. (05/24)
NY	SB 190/ AB 408	04/29/2016 SB 190 has been amended in committee in the Senate and re-referred to committee.  AB 408 has not moved since it was last reported.	License Bond—Debt Collection Agencies.	SB 190/AB 408 would require debt collection agencies to be licensed and post a surety bond or other security. The bond amount would be based on the number of persons the licensee employs in an amount ranging from \$10,000 to \$75,000. The bond would secure the licensee's compliance with the applicable law and the payment of all costs and penalties. (05/05)
NY	SB 6793/ AB 10473	06/01/2016 SB 6793 has passed out of committee in the Senate and was referred to an additional committee.	Miscellaneous Bond— Fantasy Contest Operators	SB 6793/AB 10473 would require fantasy contest operators to be licensed and post a \$1 million surety bond that is payable to the State. (05/26)

		06/02/2016 AB 10473 passed out of committee in the Assembly.		
NY	SB 7151/ AB 9089	05/10/2016 SB 7151 has been amended in committee in the Senate and was re-referred to committee.  05/10/2016 AB 9089 has been amended in committee in the Senate.	Miscellaneous Bond— Contractors	SB 7151/AB 9089 would require contractors to register and would establish penalties for failing to comply with the labor laws for public works projects, which could include posting a surety bond as a condition of registration. The bond would be for the benefit of workers suffering damages from the contractor's failure to pay wages or benefits, or for any other labor law violation. The Commissioner of Labor would determine the bond amount, but it could not exceed \$10,000 per worker. (05/12)
NY	Multiple Bills (See Summary)	See summary for status.	Tax Bond  Costs Bond	Each year, New York introduces several bills that would require a bond in connection with review processes for tax assessments made by local authorities. Anyone who disputes the tax or seeks a refund is required to deposit an amount equal to the tax and any penalties due, along with a surety bond from a state-licensed surety for the costs of the proceeding. The petitioner has the option of posting a bond in the amount of the taxes, including interest and penalties, in addition to the costs bond. Anyone disputing a denied refund claim is subject to the same bond requirements described above. The following bills have been introduced since the last report:  <b><i>Hotel Occupancy Tax:</i></b> SB 7499 (Town of Woodbury)—Introduced; SB 7790/AB 10302 (City of Hudson)—SB 7790 amended in committee in the Senate/AB 10302 introduced; AB 10033 (Mount Kisco)—Third Reading in Assembly.
NY	SB 7864/ AB 10063	06/01/2016	Workers' Compensation	SB 7864/AB 10063 would exempt group self-insurers for workers' compensation plans that are comprised only of public entities from the requirement to provide financial security to

		SB 7864 has been amended on the Senate floor.  06/01/2016 AB 10063 has been amended in committee in the Assembly.	Plans—Self-Insurers	secure their plans. Surety bonds are accepted to meet this requirement under existing law. Instead, the joint and several liability of the public group self-insurer's members would serve as the security for the plan. (06/03)
NY	SB 7615	05/11/2016 SB 7615 has been introduced.	Court Bond	SB 7615 provides that for private construction contracts, when a subcontractor brings a claim in an arbitration proceeding, the contractor would have to post a performance bond in an amount equal to the amount of the demand for payment. If the contractor fails to post the bond within five days of when it is required would result in an immediate award to the subcontractor that could not be appealed. (05/19)
OH	SB 213	05/24/2016 SB 213 has been sent to the Governor.	License Bond—Cosmetology Schools	SB 213 would exempt career-technical school programs conducted by a city, exempted village, local, or joint vocational school district from the existing \$10,000 bond requirement for cosmetology schools. (05/26)
OH	293	05/25/2016 SB 293 has been sent to the Governor.	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. (05/26)
OH	SB 333	05/18/2016 SB 333 has been introduced.	Financial Assurance—Recycling Facilities	SB 333 would require the Director of Environmental Protection to adopt regulations for recycling construction and demolition debris processing facilities that include a financial assurance requirement to secure closing the facility and transporting and disposing of the debris. A surety bond or other security would be accepted to meet the requirement. (05/26)
OH	HB 432	05/18/2016 HB 432 passed the House.	Court Bond—Guardians	HB 432 would permit a guardian of an 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. (05/20)

OK	SB 1069	05/04/2016 SB 1069 has been enacted.	Public Official Bonds	SB 1069 directs 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. (05/05)
RI	SB 2260	05/05/2016 SB 2260 passed the Senate.	Financial Assurance— Power Producers	SB 2260 would revise the financial security requirements for nonregulated power producers to require that the surety bond or other security be in an amount ranging from \$25,000 to \$500,000 as the Division of Public Utilities and Carriers determines. Current law does not specify a dollar amount. The bill provides that the security would be for the payment of penalties for violations of any applicable consumer protection rules or laws, refunds, or failure to comply with renewable energy requirements. (05/09)
SC	SB 1205	06/02/2016 SB 1205 has been sent to the Governor.	Public Official Bond	SB 1205/HB 5174 would increase the bond required for enforcement officers for the Department of Natural Resources from \$1,000 to not less than \$2,000. The bill would permit the bond to be an individual, schedule, or blanket bond. (06/03)
SC	HB 3682	06/01/2016 HB 3682 has been sent to the Governor.	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. (06/03)
SC	HB 4090	06/02/2016 HB 4090 has been sent to the Governor.	License Bond—Pawn Brokers	HB 4090 would increase the bond amount required for pawnbrokers from \$5,000 to \$15,000 and would eliminate the option for two responsible sureties to issue the bond so that the bond only could be issued by a surety company licensed in the State. The bill would eliminate the option to post a letter of credit, a certificate of deposit, or other form of financial responsibility. (06/02)
SC	HB 4554	06/02/2016 HB 4554 has been sent to the Governor.	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. (06/02)

TN	SB 2430	04/27/2016 SB 2430 has been enacted.	Public Official Bonds	SB 2430 authorizes municipalities with a population of 150,000 or less to establish energy authorities. Banks or trust institutions holding an authority's funds must secure them through insurance through a federal agency, a deposit of securities, or a surety bond. The authority will determine the sufficiency, form, and substance of the bond. (05/05)
TN	HB 2633	04/27/2016 HB 2633 has been enacted.	Depository Bond	HB 2633 requires the depositories for the Tullahoma Utilities Authority (Authority), which the new law creates, to pledge securities or post a bond equal to the amount of the Authority's funds that the depository holds. (05/09)
TN	HB 2652	04/27/2016 HB 2652 has been enacted.	Public Official Bond	HB 2652 requires 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. (05/09)
VT	HB 84	05/06/2016 HB 84 has been enacted.	License Bond— Consumer Litigation Funding Companies	HB 84 would require consumer litigation funding companies to register and post a bond or letter of credit equal to double the amount of the company's largest funded amount in Vermont in the prior three calendar years, or \$50,000, whichever is greater. As introduced, the bill was not related to bonding, but was revised in conference committee to include these provisions. (05/24)