

HIDALGO COUNTY BAIL BOND BOARD

LOCAL RULES

The following rules have been adopted by the Hidalgo County Bail Bond Board (“The Board”) in July 2000, July 2017, August 2018, November 2018, and April 2022. They relate to applicants for licensed bondsmen, agents of corporations, and employees of licensees. *Any rule can result in such sanctions as the Board may enforce under Chapter 1704, REGULATION OF BAIL BOND SURETIES, TEXAS OCCUPATIONS CODE, (V.T.C.A.) or under applicable Texas law.* These Local Rules may be updated and/or revised when needed or at least bi-annually to coincide with the legislative sessions to include new and/or changes to currently related statutes. *If any portion of these rules are inconsistent or in conflict with any Texas statute, particularly Chapter 1704 of the Texas Occupations Code, the statute shall be controlling. Such provision found to violate state law will be considered void and severed from the rules. The remainder of the rules shall remain in full force and effect.*

DEFINITIONS:

“**LICENSEE**” means an individual or corporation licensed by the Hidalgo County Bail Bond Board in Hidalgo County, Texas.

“**AGENT**” means an individual who has been designated in an application filed by a corporation and approved by the Hidalgo County Bail Bond Board.

“**EMPLOYEE**” is an individual who has been approved by the Hidalgo County Bail Bond Board to work in an office of a licensed entity.

RULES:

APPLICATION FORMS FOR BAIL BOND LICENSE

Applications for new and renewal bail bond licenses shall be on the forms adopted by this Board. The requirements set forth on the applications are incorporated herein and form a part of these Local Rules as if set forth at length.

NEW OR RENEWAL APPLICATIONS:

(1) No application for a New bail bond license will be brought before the Board for consideration until it is properly completed with **all** required attachments and the applicant is confirmed to have complied with Chapter 1704.152 (a)(4)(A) and the application has been on file with the Secretary of the Board at least *sixty (60) days prior* to consideration. It is the obligation of the applicant to see that the application is properly completed before consideration.

(2) The original application for the renewal of a bail bond license must be submitted for review to the Secretary of the Board no less than sixty (60) days prior to a request for consideration.

(3) The application for a new or renewal bail bond license must be submitted to the Secretary of the Board with one (1) copy.

(A) The Board Secretary shall submit any and all applications to the Hidalgo County Bail Bond Board Application Review Committee for consideration and review. The Committee will be comprised of the County Clerk, District Clerk, County Treasurer, Bail Bond Representative, and the District Attorney.

(B) New and Renewal Applications will not be set for consideration by the Board until completed and approved for completion by the Hidalgo County Bail Bond Board Application Review Committee.

(4) No more than one (1) bail bond license will be issued to any one (1) person or entity in accordance with Tex. Occ. Code § 1704.151.

(5) New and Renewal applications will be considered as per Chapter 1704, REGULATION OF BAIL BOND SURETIES, TEXAS OCCUPATIONS CODE, (V.T.C.A.).

(6) The application fee of five hundred dollars (\$500.00) in the form of a cashier's check submitted with the application for a New or Renewal license is non-refundable in the event the application is not approved. An application that is *withdrawn* by the applicant prior to the Board's hearing shall not be considered by the Board and the application fee shall be returned by methods that are in place by the County Treasurer's Office and the Auditor's office through accounts payable.

Applicant and all employees/agents of the applicant shall have a criminal background check conducted, whether an original or renewal application is being submitted, prior to the Board meeting to ensure compliance with Texas Occupations Code §1704.153.

As per Chapter 1704.152, all education eligibility requirements must be met. All applicants must submit documentary evidence that, in the two years preceding the date a license application is filed, the individual:

(A) has been continuously employed by a person licensed under this chapter for at least one year and for not less than 30 hours per week, excluding annual leave, and has performed duties that encompass all phases of the bonding business; and

(B) Completed in person at least eight hours of continuing legal education in criminal law courses or bail bond law courses that are approved by the State Bar of Texas and that are offered by an accredited institution of higher education in the state.

(7) The Board shall conduct sworn voir dire examinations in application for new and/or renewal of licenses. The examination will include matters such as but not limited to violations of any laws, rules or regulations.

(8) Any collateral of any kind submitted to obtain or renew a license cannot be changed, substituted, or modified as that action might affect the Board's rights of execution against it. Any change, substitution or modification of collateral must have written Board approval.

(9) When applicants or licensees submit real property as collateral, it must have a minimum appraised value of fifty thousand dollars (\$50,000.00) and be re-appraised upon renewal or upon request by the Board.

(10) Real property deeded in trust to the Board must meet the following requirements:

A. Property must be located in Hidalgo County, Texas.

B. Such property cannot be exempt from forced sale.

C. Such property must be unencumbered.

D. The following documentation must be submitted:

(1) Original or certified copy of Warranty Deed executed and filed in the name of the applicant or licensee; and

(2) Title Policy specifying that there are no outstanding liens against the property other than the Board's Deed of Trust, and each licensee must submit a title report showing no outstanding liens against the property other than the Board's Deed of Trust, at the renewal of the license.

E. All submitted real estate shall be appraised as follows:

(1) A real estate appraiser who is a member in good standing of a nationally recognized professional appraiser society or trade organization that has an established code of ethics, educational program, and professional certification program; or

(2) Is on the current list of approved appraisers provided by the County Clerk annually at the January meeting of the Board; or

(3) The value according to a statement from the county's most recent certified tax appraisal roll.

(11) When an applicant or licensee relies upon other than real property as collateral, a minimum of fifty thousand dollars (\$50,000.00) in cash, Cashier's Check, or Certificate of Deposit shall be placed on deposit with the Hidalgo County Treasurer. However, when the applicant or

licensee is a corporation surety, a Certificate of Deposit in the amount of fifty thousand dollars (\$50,000.00) shall be placed on deposit with the Hidalgo County Treasurer. No monies or real estate which is held as collateral will be withdrawn without formal Board approval.

(12) **The person applying for a bail bond license or the designated agent of a corporation seeking application for a license must be a resident of Hidalgo County.** A license holder shall maintain an office in the county of Hidalgo, pursuant to § 1704.213 of the Texas Occupations Code.

(13) A licensee may not office or conduct bail bond business from any building which:

- A. Has a common entrance in which a licensed attorney conducts any part of his/her practice;
- B. Has a common entrance or is adjoined to a building where persons in the custody of law enforcement officials are arraigned, processed or detained.
- C. No licensee, agent of a corporation, employee of a bondsman, individual or person may solicit bail bond business in a police station, jail, prison, detention facility, or other place where persons in the custody of law enforcement officials are detained.
- D. No licensee, agent of a corporation, employee of a bondsman, individual or person may solicit bail bond business in any manner while on city, county, or state property where persons in the custody of law enforcement officials are detained.

(14) Each licensee or agent of a corporation who uses an assumed name must submit to the Board a valid Assumed Name Certificate or certified copy thereof properly filed with the Hidalgo County Clerk.

(15) All corporate sureties are required to designate the local agent appointed by the company for writing bonds as the local agent for service of process in bond forfeiture cases. The designation must be made by one of the following of the corporate surety:

- A. the Chairman of the Board of the corporate surety; or
- B. the President of the corporate surety.

(16) A licensee is responsible to insure that his/her employees comply with Chapter 1704, Regulation of Bail Bond Sureties, Texas Occupation Code (V.T.C.A.) and the local rules and bylaws of the Board.

- A. An individual or agent for a corporate surety who is applying for a new license is instructed that he or she must submit a background check to the Board showing that they are not disqualified under Texas Occupations Code Section 1704.153.
- B. An individual who seeks to be employed by a licensed bondsman or an agent for a corporate surety must first submit a background check to the Board showing they are not disqualified under Texas Occupations Code Section 1704.302.

- C. An individual who seeks to be employed and/or is currently employed by or as a licensed bondsman or agent for a corporate surety and who is currently employed with the County of Hidalgo and/or seeking employment with the County of Hidalgo, must first submit the Employee Acknowledgement Form provided to the County Department Head and/or Elected Official, in compliance with the County's Outside Employment Policy. The individual shall also submit written approval from the County Department Head and/or Elected Official indicating that no conflict exists with the County's interest, and that there is no adverse effect to the County Employee's availability and usefulness to the County during the County Employee's regular work hours. Upon review, the Board may deny approval if the documents or facts provided are insufficient to demonstrate that no conflict exists with the County's interest and no appearance of special access exists.
- D. An applicant for a new or renewed license who is currently employed with the County of Hidalgo and/or seeking employment with the County of Hidalgo, must also submit the Employee Acknowledgement Form provided to the County Department Head and/or Elected Official, in compliance with the County's Outside Employment Policy. The individual shall also submit written approval from the County Department Head and/or Elected Official indicating that no conflict exists with the County's interest, and that there is no adverse effect to the County Employee's availability and usefulness to the County during the County Employee's regular work hours. Upon review, the Board may deny approval if the documents or facts provided are insufficient to demonstrate that no conflict exists with the County's interest and no appearance of special access exists.
- E. Background checks (including State or Federal Criminal checks) along with fingerprints for individuals will be conducted through the Texas Department of Public Safety's IdentGO by Morpho Trust USA program. Information on how to complete the background check may be found by going online to www.identogo.com or calling the following number for more information: 1-888-467-2080.
- F. Once the individual has received all of the required documents they shall be submitted to the Secretary of the Board, along with a request for the appropriate item to be placed on the next Board meeting for consideration and approval.

(17) Each licensee, agent of a corporation, and employee is required to read and sign a sworn copy of the local rules, bylaws, and Texas Occupations Code Chapter 1704 prior to being approved for a new or renewed bail bond license.

The Committee shall review, and may request additional documentation, in order to submit a recommendation for approval to the Board Secretary for presentation to the Board before the next scheduled meeting.

(18) The Applicant for an original bail bond surety license or for the renewal thereof shall attend the meeting of the Board at which the application shall be considered. If the Applicant is unable to attend, his/her attorney or authorized legal representative, may appear on the applicant's behalf. If neither the applicant nor their attorney is present, the Board may use the following methods at the discretion of the Presiding Officer: electronic, telephonic, video conferencing, or

whatever technology is available. If none are available, the options are to either table the discussion until a future meeting or deny the original or renewal application.

REGULATORY PROVISIONS:

(19) No Agent, with the exception of a corporate agent, may execute bonds for any surety unless:

- A. Such person acting as surety is individually licensed pursuant to Chapter 1704, Sections 1704.151 and 1704.163, Regulation of Bail Bond Sureties, Texas Occupation Code (V.T.C.A.);
- B. Such agent must also be specifically designated in the surety's license application.

(20) In the event the applicant is a corporate surety:

- A. Before any designated agent may execute bonds on behalf of a licensed corporate surety, there must be filed as directed by the Board a General Qualifying Power of Attorney for the agent. Such Power of Attorney may be revoked only by a timely 30-day certified written notice signed by an Officer of the Corporation to the Presiding Officer of the Board and the Hidalgo County Sheriff's Office.
- B. All licensees and agents of corporations who execute bonds on their behalf are required to have on file, as directed by the Board, a current signature card before they will be permitted to execute bonds.

(21) Each licensed bail bondsman is required to comply with the records requirements prescribed herein:

- A. A licensed holder shall maintain:
 - 1. a record of each bail bond executed by the license holder; and
 - 2. a separate set of records for each county in which the license holder is licensed.
- B. The records required to be maintained under this section must include for each bail bond executed and enforced as follows:
 - 1. the style number of the case and the court in which the bond is executed;
 - 2. the name of the defendant released on bond;
 - 3. the amount of bail set in the case;
 - 4. the amount and type of security held by the licensed holder; and
 - 5. statement of
 - a) whether the security held by the license holder is

- i) for the payment of a bail bond fee; or
 - ii) to assure the principal's appearance in court; and
 - b) the conditions under which the security will be returned.
- C. A licensed holder shall, before renewing a license, submit for inspection to the Board, or a person designated by the Board, the records required under this section.
- D. The records required under this section shall be made available for inspection on demand by the Board or an authorized representative of the Board. This is to become effective on September 1, 2000, and thereon.

(22) No person, firm or corporation that is not licensed to make bail bonds may use a phone number, address, or advertising of any kind to solicit or refer bail bond business to a licensee or any non-licensee. Further, no licensee may use a phone number, address or office of a non-licensee to conduct any bail bond activities.

(23) No licensee, agent for a corporation, representative, or employee of a licensee may convey, give or pass anything of value to any non-licensee or entity for the referral of bail bond business.

(24) All bail bonds shall be accepted only in the bonding office of the Hidalgo County Sheriff's Office.

(25) All bail bond companies are required to use the promulgated bail bond form that has been approved for use by the Board.

DEFAULT ON BOND:

(26) Pursuant to Article 17.11 of the Texas Code of Criminal Procedure, a person or licensee who has signed as a surety on a bail bond and is in default thereon shall thereafter be disqualified to sign as a surety so long as the person is in default on the bond.

(27) Pursuant to section 1704.212 of the Texas Occupations Code, a licensee shall be considered in default for the following reasons:

- A. beginning on the 11th day after the date the trial court enters a final judgment on the scire facias and ending on the date the judgment is satisfied, set aside, or superseded; and
- B. a corporation is not considered in default on the bail bond if, pending appeal, the corporation deposits cash or a supersedeas bond in the amount of the final judgment with the court in which the bond is executed.

(28) Pursuant to section 1704.212(c)(1) of the Texas Occupations Code, failure to pay a final judgment on a forfeiture of a bail bond by the 11th day after the final judgment will result in licensee being immediately disqualified from signing as a surety, unless the licensee has filed an appeal and deposits cash or a supersedeas bond in the amount of the final judgment with the court in which the bond is executed.

(29) A licensee's disqualification will not be predicated upon formal or informal notice from the Board to the licensee.

(30) A licensee will be considered in default if the licensee fails to deposit the statutorily required cash deposit or supersedeas bond pending appeal.

(31) Pursuant to section 1704.212 of the Texas Occupations Code, a licensee may not act as a bail bond surety in a county in which the corporation is in default on five or more bail bonds, regardless if the surety has placed a cash deposit or supersedeas bond for all five or more defaults, the surety is still prohibited from acting as a surety by law. A licensee who is in default on five or more bail bonds in Hidalgo County will be disqualified for signing as a surety on another bond in Hidalgo County.

(32) In accordance with Art. 17.11 of the Texas Code of Criminal Procedure, the Hidalgo County District Clerk's Office and the Hidalgo County Clerk's Office shall deliver written notice of default to

A. the Hidalgo County Sheriff's Office, chief of police, or other peace officer..

(33) The Hidalgo County District Attorney's Office will notify (1) the Hidalgo County Sheriff's Office and (2) the Board of any past due judgments or any failure by a licensee to pay a final judgment on a forfeiture of a bail bond.

(34) The Hidalgo County Sheriff's Office is required to deny the availability to post bonds to a licensee or bail bond company/licensee/surety who is disqualified from executing a bond.

(35) The Hidalgo County Sheriff's Office may refuse a disqualified licensee with informal notice or formal notice.

FAILURE TO PAY FINAL JUDGMENT:

(36) Pursuant to Section 1704.204 of the Texas Occupations Code, Payment of Final Judgment, all licensees shall pay a final judgment on a forfeiture of a bail bond executed by the licensee not later than the 31st day after the date of the final judgment unless a timely motion for a new trial has been filed. If a timely motion for a new trial or a notice of appeal has been filed, the person shall:

A. pay the judgment not later than the 31st day after the date the motion is overruled, if the motion is overruled; or

B. deposit with the court cash or a supersedeas bond in the amount of the final judgment, if an appeal is filed.”

(37) In accordance with Section 1704.204(b) of the Texas Occupations Code, if a license holder fails to pay a final judgment, as required, by the 31st day after the date of the final judgment, the judgment shall be paid from the security deposited or executed by the license holder under Section 1704.160.

(38) The Board, or its authorized representative, is not required to provide notice or a hearing before notifying the Hidalgo County Sheriff's Office if a bail bond surety fails to pay a final judgment of forfeiture as provided by Sections 1704.204(a) and 1704.2535(d) of the Texas Occupations Code.

(39) A licensee, agent for a corporation, or employee of a bonding company presenting a bail bond to the Hidalgo County Sheriff's Office bonding department for approval must present a current bail bond identification card to the deputy processing the bond. Failure to present the identification card upon request may result in the bail bond not being accepted until such identification is presented.

(40) No bonding company may execute a bail bond if the amount of license holder's current total liability on judgment nisi equals or exceeds twice the amount of security deposited or executed by the license holder under Section 1704.160 (V.T.C.A.).

(41) A licensee or agent of a corporation must return to the payor all fees and/or collateral tendered for the purpose of making or executing a bail bond when no bond is posted by the licensee within twenty four (24) hours of the fee being paid. The licensee or agent of a corporation may retain a portion of the tendered fees to compensate for expenses incurred, but may not keep more than twenty five dollars (\$25.00) when the expenses cannot be proven upon presentation of receipts indicating actual monies expended. If the fees or property cannot be returned because the payor cannot be located, or for other good cause, the licensee or agent of a corporation shall make a written record of his efforts to return the fees or collateral and such record shall show when the fees or collateral will be returned and such record shall be a permanent part of the payor's file.

REVOCATIONS/SUSPENSIONS:

(42) After notice and hearing, the Board may revoke or suspend a license according to Section 1704.252 of the Texas Occupations Code, if the license holder:

- (1) violates this chapter or a rule adopted by the Board under this chapter;
- (2) fraudulently obtains a license under this chapter;
- (3) makes a false statement or misrepresentation:
 - (A) in an application for an original or renewal license; or
 - (B) during a hearing conducted by the Board;
- (4) refuses to answer a question submitted by the Board during a hearing relating to the license holder's license, conduct, or qualifications;
- (5) is finally convicted under the laws of this state, another state, or the United States of an offense that:

- (A) is a misdemeanor involving moral turpitude or a felony; and
 - (B) is committed after August 27, 1973;
- (6) is found by a court to be bankrupt or is insolvent;
 - (7) is found by a court to be mentally incompetent;
 - (8) fails to pay a judgment in accordance with Section 1704.204;
 - (9) pays commissions or fees to or divides commissions or fees with, or offers to pay commissions or fees to or divide commissions or fees with, a person or business entity not licensed under this chapter;
 - (10) solicits bonding business in a building in which prisoners are processed or confined;
 - (11) recommends to a client the employment of a particular attorney or law firm in a criminal case;
 - (12) falsifies or fails to maintain a record required under this chapter;
 - (13) fails to promptly permit the Board, or a representative or an agent of the Board, of the county in which the license holder is licensed to inspect a record required under this chapter;
 - (14) acts as a bail bond surety under a suspended or expired license;
 - (15) fails two or more times to maintain the amount of security required by Section 1704.160; or
 - (16) misrepresents to an official or an employee of the official the amount for which the license holder may execute a bail bond for purposes of obtaining the release of a person on bond.
- (43) In accordance with Section 1704.253 of the Texas Occupations Code, the Board shall immediately suspend a license if the license holder fails to maintain the amount of security required by Section 1704.160. The Board is not required to provide notice or a hearing before suspending a license under this subsection. A license suspended under this subsection shall be immediately reinstated if the license holder deposits or executes the amount of security required by Section 1704.160.
 - (44) After notice and hearing as provided by Section 1704.254, the Board shall revoke a license if:
 - (1) the license holder fails to pay a judgment in accordance with Section 1704.204;and

(2) the amount of security maintained by the license holder under Section 1704.160 is insufficient to pay the judgment.

CRIMINAL BACKGROUND CHECKS:

(45) No licensee shall employ, as an agent or employee, any person who after August 27, 1973, commits or had committed an offense for which he/she had been finally convicted of a misdemeanor involving moral turpitude or a felony. For purposes of this rule a final conviction means a conviction from which any rights of direct appeal have been exhausted.

(46) Before assuming the duties of Licensee or Agent, as defined under these rules, they must pass a criminal background check conducted by the Department of Public Safety and fingerprints, which may be conducted by the Hidalgo County Sheriff's Department if no other means of obtaining such fingerprints is available. Both items must be provided to the Secretary of the Board prior to the scheduled meeting for approval. Upon passing the background check and board approval, the Licensee or Agent shall be placed on the Hidalgo County Sheriff Department's list of approved Licensees/Agents who are allowed to perform their respective duties in Hidalgo County.

TERMINATION OF AGENT/EMPLOYEE:

(47) Licensee must immediately notify the Hidalgo County Sheriff's Department when an employee is no longer employed by Licensee and copy the Secretary of the Board.

BAIL BOND BOARD MEETINGS:

(48) Hidalgo County Bail Bond Board meetings are held on the first (1st) Tuesday of each month at 3:00 p.m. at a place determined by the Board.

(49) It is the policy of the Board to post the agenda on the Hidalgo County website, for seventy-two (72) hours, preceding the monthly Bail Bond Board meeting.

(50) Parties interested in having items placed on the agenda for the monthly meeting must comply with the following conditions:

The requested item must be sent in writing to the Presiding Officer of the Board **and** the Secretary no later than seven (7) days prior to the date of the meeting.

- **PLEASE NOTE: Any agenda item request that is received after the deadline will be placed on the following month's agenda.**

ELECTION OF LICENSED BONDSMEN REPRESENTATIVE & CRIMINAL DEFENSE ATTORNEY:

(51) The County Clerk's Office will conduct the aforementioned elections simultaneously beginning the first full week in December, Monday thru Friday, 8:00 a.m. to 5:00 p.m., by providing the ballots to all eligible voters in both categories and placing them in a locked box.

The Board meeting will be held the Tuesday after the aforementioned elections. Ballot canvassing will be the following Tuesday at the Board meeting at 3:00 p.m. and conducted by the Presiding Officer, Vice Chairperson, and Secretary, unless otherwise determined by majority action of the Board. The duly elected representative of the licensed bondsmen and the criminal defense attorney will serve from January through December of each year.

ELECTION OF JUSTICE OF THE PEACE:

(52) Each elected justice of the peace, who is not legally prohibited from voting, is entitled to cast one vote to elect a justice of the peace board representative in accordance with section 1704.0535(d) of the Texas Occupations Code. The duly selected justice of the peace will serve from January through December of each year.

COMPLAINTS AGAINST A BONDING COMPANY/BAIL BONDSMAN

(53) All complaints shall be handled in accordance with Subchapter F – Enforcement provisions, Section 1704.251 of the Texas Occupations Code.

(54) A formal sworn statement/complaint will be provided to the Presiding Officer in person, by mail, fax, or email as per instructions provided with the form, which will be posted on the County’s website under the Bail Bonds page or provided by the Presiding Officer or Secretary of the Board upon request.

(55) Once the sworn complaint is submitted, it will be forwarded to the Hidalgo County Bail Bond Board Complaint Committee.

(56) The Complaint Committee shall investigate all complaints provided to the Board.

(57) The Complaint Committee will determine whether the complaint provides reasonable cause that violations of these rules as well as any violations of the Texas Occupations Code, Chapter 1704, or the laws of the State of Texas or of the United States, have occurred.

(58) The Complaint Committee will present findings with a recommendation to the Board of whether there is reasonable cause the alleged violation(s) have occurred.

WITHDRAWAL OF SECURITY:

(59) A license holder may withdraw the security or a portion of the security deposited or executed under Section 1704.160, and the security shall be returned to the license holder or the license holder’s heirs or assigns, if the person requesting the withdrawal is:

(1) A license holder in good standing and the amount of the security remaining after the withdrawal is:

(a) at least the minimum amount required by Section 1704.160; and

(b) an amount sufficient to maintain the ratios required by Section 1704.203; or

(2) A former license holder who has ceased to engage in the bonding business, or a former license holder's heir or assign, and the amount of the security remaining after the withdrawal is sufficient to:

- (a) pay any outstanding judgments; and
- (b) secure any unexpired obligation on a bail bond executed by the former license holder.

The Hidalgo County Bail Bond Board limits the number of times that security may be returned to a license holder under this section to no more than once in a calendar year.

PROHIBITIONS AND PENALTIES

(60) A licensee may not execute a bail bond if the amount of the licensee's current total liability on judgment nisi in Hidalgo County is twenty-five (25%) percent.

ATTORNEY EXEMPTION

(61) Attorneys posting bail under Section 1704.163 of the Texas Occupations Code may execute a bail bond or act as a surety for another person in any county in this state if the person:

- (1) is licensed to practice law in this state; and
- (2) at the time the bond is executed or the person acts as a surety, files a notice of appearance as counsel of record in the criminal case for which the bond was executed or surety provided or submits proof that the person has previously filed with the court in which the criminal case is pending the notice of appearance as counsel of record.

(62) The attorney executing a bail bond or acting as a surety under section 1704.163 of the Texas Occupations Code may not engage in conduct involved with that practice that would subject a bail bond surety to license suspension or revocation. If the Board determines the attorney has violated Tex. Occ. Code § 1704.163(b), the Board may suspend or revoke the attorney's authorization to post a bond or may bar the person from executing a bail bond or acting as a surety until the attorney has remedied the violation.

(63) The attorney executing a bail bond or acting as a surety under this section is not relieved of liability on the bond solely because the person is later replaced as attorney of record in the criminal case pursuant to section 1704.163(c) of the Texas Occupations Code.

(64) Attorneys that seek to execute a bail bond or act as a surety for another person in Hidalgo County must execute a notice of appearance and may not post bail until they provide a letter indicating they represent the person listed in the bond for the case in which bail is made.

- (65) Attorney sureties must comply with all applicable statutes and the rules of the State Bar of Texas regarding attorney advertising. If an attorney surety chooses to advertise, such advertisement must clearly indicate that the attorney is writing bonds as an attorney surety, and that an attorney may only write bonds for persons he or she represents in the criminal case for which the bond was given.

- (66) All persons posting bail under legal exemption from the license requirements of the local rules of the Board are subject to the Hidalgo County Sheriff's Office procedures and shall execute, under oath, the promulgated Bail Bond form approved by the Board and approved by the Sheriff's Office.

ACKNOWLEDGMENT FORM

Applicant has read and fully understands each of the Hidalgo County Bail Bond Local Rules and Regulations.

Applicant understands that each such rule and regulation is a condition to applicant, licensee, and agent for a corporation, or employee of a bondsman being allowed to engage in the Bail Bond business in Hidalgo County, Texas.

Further, applicant does hereby agree and acknowledges that a violation of any of these rules and regulations will allow the Hidalgo County Bail Bond Board on its own motion, and shall on receipt of a sworn complaint providing reasonable cause to believe that a violation of Chapter 1704, Regulation of Bail Bond Sureties, Texas Occupations Code, (V.T.C.A.) or these local rules and regulations has occurred or on the request of a court, investigate the actions and records relating to such complaint against any licensee, agent of a corporation or employee of a bondsman. The Board may, after notice and hearing, suspend or revoke a license for violation of a provision of Chapter 1704, Regulation of Bail Bond Sureties, Texas Occupations Code, (V.T.C.A.), or a rule prescribed by the Board during the term of the license sought to be suspended or revoked or during any prior licensing period.

APPLICANT HAS READ AND FULLY UNDERSTANDS EACH OF THE ABOVE LOCAL RULES AND ATTESTS COMPLIANCE WITH SAID RULES AND REGULATIONS.

Signature of Owner/Agent/Employee

Print Name

Bonding Company: _____

License Number: _____

Title: _____

SIGNED and SWORN BEFORE ME, the undersigned authority, on this the ____ day of _____, 20____.

Notary Public in and for Hidalgo County, Texas