

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 4076

By Delegate Smith

[Introduced January 10, 2024; Referred to
Committee on Finance then the Judiciary]

1 A BILL to amend and reenact §64-7-1 of the Code of West Virginia, 1931, as amended, relating to
 2 authorizing the West Virginia Insurance Commissioner to promulgate a legislative rule
 3 relating to bail bondsmen in criminal cases.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 7. AUTHORIZATION FOR DEPARTMENT OF REVENUE TO PROMULGATE
 LEGISLATIVE RULES.**

§64-7-1. West Virginia Insurance Commissioner.

1 The legislative rule filed in the State Register on July 11, 2023, authorized under the
 2 authority of §51-10-8 of this code, modified by the West Virginia Insurance Commissioner to meet
 3 the objections of the Legislative Rule-Making Review Committee and refiled in the State Register
 4 on September 14, 2023, relating to the West Virginia Insurance Commissioner (bail bondsmen in
 5 criminal cases, [114 CSR 103](#)), is authorized with the amendments set forth below:

6 on page 3, paragraph 3.2.1.h., following the words "felony crime", by striking out the
 7 remainder of the paragraph and inserting a semi-colon.

8 And,

9 On page 6, subsection 3.11., by inserting a new subsection to read as follows:

10 "3.12. Any person who has been convicted of a felony is not qualified to be
 11 licensed as a bail bondsman and the Commissioner shall not license any such person. The
 12 Commissioner shall revoke or non-renew the license of a bail bondsman who is convicted of a
 13 felony, after licensure, and shall non-renew the license of a bail bondsman who was previously
 14 convicted of a felony, and who was issued a license prior to the enactment of this subsection."

NOTE: The purpose of this bill is to authorize the West Virginia Insurance Commissioner to promulgate a legislative rule relating to bail bondsmen in criminal cases.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.