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]

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

The legislative rule filed in the State Register on July 11, 2023, authorized under the authority of §51-10-8 of this code, modified by the West Virginia Insurance Commissioner to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on September 14, 2023, relating to the West Virginia Insurance Commissioner (bail bondsmen in criminal cases, [114 CSR 103](http://apps.sos.wv.gov/adlaw/csr/rule.aspx?rule=114-103)), is authorized with the amendments set forth below:

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

 And,

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

 "3.12. Any person who has been convicted of a felony is not qualified to be licensed as a bail bondsman and the Commissioner shall not license any such person. The Commissioner shall revoke or non-renew the license of a bail bondsman who is convicted of a felony, after licensure, and shall non-renew the license of a bail bondsman who was previously 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.