

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 5517

FISCAL
NOTE

By Delegates Brooks, Clay, Pritt, Hott, Vance, Martin,
and Flanigan

[Introduced February 13, 2026; referred to the
Committee on Finance]

1 A BILL to amend and reenact §51-10-6 of the Code of West Virginia, 1931, as amended, relating to
 2 the Office of Insurance Commissioner maintaining and posting lists of bondsmen; giving
 3 detainees access to the list and choice of bondsman; providing rule-making authority; and
 4 setting legibility requirements.

Be it enacted by the Legislature of West Virginia:

ARTICLE 10. PROFESSIONAL BONDSMEN IN CRIMINAL CASES.

§51-10-6. Posting names of authorized bondsmen; list to be furnished prisoners; prisoner may communicate with bondsman; record to be kept by police.

1 (a) A typewritten or printed list alphabetically arranged of all persons engaged under the
 2 authority of any courts of record pursuant to ~~section eight of this article~~ §51-10-8 of this code, in the
 3 business of becoming surety on the bonds for compensation shall be posted in a conspicuous
 4 place in each police precinct, jail, prisoner's dock, house of detention, municipal court, and justice
 5 of the peace court within the county, and one or more copies thereof kept on hand; and when any
 6 person who is detained in custody in any such place of detention shall request any person in
 7 charge thereof to furnish him or her the name of a bondsman, or to put him or her in
 8 communication with a bondsman, said list shall be furnished to the person so requesting, and it
 9 shall be the duty of the person in charge of said place of detention within a reasonable time to put
 10 the person so detained in communication with the bondsman so selected, and the person in
 11 charge of said place of detention shall contemporaneously with said transaction make in the
 12 blotter or book of record kept in any such place of detention, a record showing the name of the
 13 person requesting the bondsman, the offense with which the said person is charged, the time at
 14 which the request was made, the bondsman requested, and the person by whom the said
 15 bondsman was called, and preserve the same as a permanent record in the book or blotter in
 16 which entered.

17 (b) Exclusive authority of the Office of Insurance Commissioner. – The Office of Insurance
 18 Commissioner shall have sole and exclusive authority and control over the creation, certification,

19 maintenance, and distribution of all lists of professional surety and property bondsmen licensed
20 under §51-10-8 of this code. No court of record, sheriff, law-enforcement agency, local
21 government, or correctional facility may create, maintain, or post any such list except those
22 produced and certified by the Office of Insurance Commissioner in accordance with this section.

23 (c) Geographically specific lists. – The Office of Insurance Commissioner shall prepare
24 separate, alphabetically arranged, geographically specific lists for each county and detention
25 facility, including only those licensed professional surety or property bondsmen who:

26 (1) Hold an active license issued by the Office of Insurance Commissioner to engage in the
27 business of posting surety or property bail bonds for compensation;

28 (2) Maintain a principal place of business or regularly conduct bail bond operations within
29 50 miles of the facility or any county served by that facility; and

30 (3) Have filed with the Office of Insurance Commissioner a current written statement
31 identifying the counties and detention facilities within their 50-mile service area.

32 (d) Statewide master list. – The Office of Insurance Commissioner shall maintain a
33 statewide master list of all duly licensed professional surety and property bondsmen authorized
34 under §51-10-8 of this code. The master list must include each bondsman's name, license type
35 (surety or property), principal business address, county of record, and contact information. The
36 Office of Insurance Commissioner shall update the master list concurrently with the geographically
37 specific lists and furnished upon request to any detention facility or detainee.

38 (e) Detainee access and choice of bondsman. – The geographically specific list displayed
39 in a facility must only contain those surety or property bondsmen whose offices or operations are
40 within 50 miles of the facility or the counties it serves. Nothing in this section limits or restricts a
41 detainee's right to select and contact any duly licensed surety or property bondsman in the state.
42 Upon request, the person in charge of the facility shall provide the detainee access to the current
43 statewide master list certified by the Office of Insurance Commissioner and shall facilitate
44 communication with any bondsman that the detainee selects.

45 (f) Rule-making authority. – The Office of Insurance Commissioner is authorized to
46 promulgate legislative rules, pursuant to §29A-3-1 et seq. of this code, necessary to implement
47 and enforce this section, including methods for verifying service-area eligibility, ensuring timely
48 monthly updates, managing electronic list distribution, auditing facility compliance, maintaining
49 both geographically specific and statewide master lists of surety and property bondsmen, and
50 establishing procedures for documenting alternative communications when the primary inmate
51 phone system is unavailable.

52 (g) Legibility requirements. – Any list required to be posted or furnished pursuant to this
53 section must be printed in a clear, legible font no smaller than 10-point type, with sufficient contrast
54 to ensure readability.

NOTE: The purpose of this bill is to require the Office of Insurance Commission to maintain and post lists of bondsmen.

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