



ALABAMA PROFESSIONAL BAIL BONDING BOARD

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Special/Called Board Meeting January 12, 2024

The Alabama Professional Bail Bonding Board met on Friday, January 12, 2024, at the Board's office located at 2777 Zelda Road, Montgomery, Alabama for a special/called meeting. The following Board members were in attendance: Mr. Chris McNeil (Board Chair), Mr. Jimmie Lay (Board Vice Chair), Ms. Carla Woodall (Board Secretary), Mr. Barry Johnson (member), Mr. Gustavius Maxie (member), Ms. Jennifer Collard (member), Judge Spiro Cheriogotis (member), Ms. Alexis Elloit (new member), and Mr. John Vaughn (new member). Others present at the meeting were Mr. Keith Warren (Executive Director), Ms. Tara Hetzel (Assistant Attorney General-Board Legal Counsel), Ms. Brenda Holden (Licensing Specialists) and Ms. Renee' Reames (recording secretary).

Public notice of this special/called meeting was submitted to the Secretary of State www.sos.alabama.gov in accordance with the requirements of the Alabama Open Meetings Act and published on the Board's web site at www.apbb.alabama.gov.

Ms. Reames administered the oath of office to new board members, Ms. Alexis Elloit and Mr. John Vaughn. The new members were welcomed by the other members.

Mr. McNeil, Board Chairman, called the meeting to order at 10:07 a.m. Ms. Reames called Board member roll and reported that a quorum was present to conduct Board business. Chairman McNeil welcomed everyone attending the meeting.

APPROVAL OF AGENDA

Chairman McNeil presented a copy of the January meeting agenda for the Board's approval. He commented on the purpose of the called/special meeting to discuss proposed legislation to be presented during the current Legislative Session. A copy of the agenda was reviewed by the members.

MOTION: Mr. Johnson made a motion to approve the January meeting agenda as presented. The motion was seconded by Mr. Maxie and unanimously approved by the Board (agenda available for viewing in the Board's Official Book of Minutes).

ELECTION OF BOARD OFFICERS

Chairman McNeil indicated that election of Board officers was due.

Mr. Johnson nominated the following slate of officers: Mr. Lay as Board Chair, Judge Cheriogotis as Board Vice Chair, and Ms. Woodall as Board Secretary. The nomination was seconded by Ms. Collard. There were no other nominations from the floor and nominations were closed. The new officers were elected by acclamation of the Board.

LEGISLATION:

§ 15-13-201 Definitions: Ms. Hetzel presented proposed revisions to the Board statute, § 15-13-201. The Board discussed the audit finding regarding the definition of employee. The Board discussed forms of communications typically performed by employees and agreed to:

- Add "a professional surety company" as an employer.
- Add who communicates "and/or negotiates through" written or verbal communications, with the public.

- Employee will not apply to individuals whose duties do not require public contact, e.g., janitorial, accountant, lawn worker, etc., “does not apply to employees whose duties do not require communications with the public.”

The Board discussed adding the definition of moral turpitude § 15-13-201, as it related to misdemeanor convictions. The Board agreed:

- Moral Turpitude: The crimes that are designated in the Felony Voter Disqualification Act as § 17-3-30.1(c).

Mr. McNeil left the meeting at 11:00 a.m. due to a conflict in schedule.

153-X-4.02 Renewal Application Deadline: The Board discussed revisions to the Renewal Application Deadline rule and reviewed the statute § 15-13-217 related to continuing education. The Board agreed to:

- Remove late fee penalty and replace with “twice the amount.”
- Include “in accordance with age and other exemptions”, noting that it pertained to § 15-13-217 about continuing education requirements.

153-X-9-.01 Fees: The Board discussed revisions to the Fees rule. The Board agreed to:

- Remove renewal license fee and replace with “twice the amount fee.”

Noted in discussion was that the company renewal applications were not charged a penalty fee.

§ 15-13-202 Licensing Requirements; Apprentice License: The Board also discussed modifications to § 15-13-202 indicating that an individual may not hold himself or herself out to the public as a professional bondsman or a professional surety bondsman, operate as a recovery agent, or use any term, title or abbreviation that expresses, infers, or implies that the individual [ADD or employee] is licensed as a professional bondsman unless the individual at the time holds a valid license as a professional bondsman as provided in this article.

- Add employee.
- Remove in this section the word affidavit and reference to felony.
- Add in this section “if ever held a license, cannot obtain apprentice license.”
- Add “all applicants shall submit to a background history check.”

MOTION: Mr. Johnson made the motion to approve the changes to the Board’s statute and Rules as discussed. The motion was seconded by Ms. Collard and unanimously approved by the Board.

The Board discussed expired licenses. Ms. Hetzel indicated that the court and law enforcement officials would be notified when an individual was working without a license.

The Board discussed sources for nominations to the Board for the Judge and Circuit Clerk positions. Mr. Warren reported that Board officer elections were not required to be held annually, but when a new member was appointed to the Board.

Bail Reform Act 2023-476: The Board discussed the additional requirement that an owner of a professional bail company be licensed as a professional bondsman at least three (3) years prior to becoming a company owner, along with other considerations to owning a company, as cited in Act 2023-476 changes to the Alabama Bail Reform Act.

§ 15-13-206 Bail Bond Fund: The Board discussed approval of vouchers and authorizing the Executive Director as it pertains to § 15-13-206 Bail Bond Fund.

MOTION: Judge Cheriogotis made the motion to authorize the Executive Director to serve in place of the Chair and Vice Chair and Board Secretary in the approval of disbursement of funds from the Board’s Fund

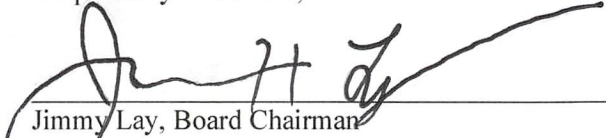
necessary to cover reasonable and necessary operations in § 15-13-206. The motion was seconded by Mr. Johnson and unanimously approved by the Board.

ANNOUNCEMENTS

Next Board Meeting: Chairman Lay reminded the members that the next meeting of the Board was scheduled February 23, 2024, at 10:00 a.m. at the Board's office. The Board agreed to reschedule the meeting to March 8, 2024, at 10:00 a.m.

Adjournment: There being no further business, Ms. Collard made the motion to adjourn the meeting. The motion was seconded by Mr. Johnson and unanimously approved by the Board. Chairman Lay adjourned the meeting at 12:10 p.m.

Respectfully Submitted,



Jimmy Lay, Board Chairman
rr



Carla H. Woodall, Board Secretary

Approved by the Board on March 8, 2024 