

## **IC 27-10**

### **ARTICLE 10. INDIANA BAIL LAW**

#### **IC 27-10-1**

##### **Chapter 1. Definitions**

#### **IC 27-10-1-0.3**

##### **Validity of licenses issued before September 1, 1985; renewal**

Sec. 0.3. Licenses issued before September 1, 1985, under IC 35-4-5 (before its repeal) remain valid and may be renewed under this article, subject to this article.

*As added by P.L.220-2011, SEC.455.*

#### **IC 27-10-1-1**

##### **Application of definitions**

Sec. 1. The definitions in this chapter apply throughout this article.

*As added by P.L.261-1985, SEC.1.*

#### **IC 27-10-1-2**

##### **"All lines fire and casualty insurance producer"**

Sec. 2. "All lines fire and casualty insurance producer" means an insurance producer who holds a valid license issued by the department of insurance to engage in the writing and transacting of all of the following lines and kinds of insurance:

- (1) Property insurance.
- (2) Casualty insurance.
- (3) Surety insurance.
- (4) Disability insurance.
- (5) Inland marine insurance.

*As added by P.L.261-1985, SEC.1. Amended by P.L.178-2003, SEC.80.*

#### **IC 27-10-1-3**

##### **Repealed**

*(Repealed by P.L.305-1987, SEC.38.)*

#### **IC 27-10-1-4**

##### **"Bail agent"**

Sec. 4. "Bail agent" means a person who has been:

- (1) approved by the commissioner; and
- (2) appointed by an insurer by power of attorney;

to execute or countersign bail bonds for the insurer in connection with judicial proceedings for which the person receives a premium.

*As added by P.L.261-1985, SEC.1. Amended by P.L.224-1993, SEC.2.*

#### **IC 27-10-1-4.3**

##### **"Bureau"**

Sec. 4.3. "Bureau" refers to the child support bureau established by IC 31-25-3-1.

*As added by P.L.23-1996, SEC.25. Amended by P.L.145-2006, SEC.166.*

**IC 27-10-1-5**

**"Commissioner"**

Sec. 5. "Commissioner" means the insurance commissioner.

*As added by P.L.261-1985, SEC.1.*

**IC 27-10-1-5.5**

**"Delinquent"**

Sec. 5.5. "Delinquent" means at least:

(1) two thousand dollars (\$2,000); or

(2) three (3) months;

past due on payment of court ordered child support.

*As added by P.L.23-1996, SEC.26.*

**IC 27-10-1-6**

**"Disqualifying offense"**

Sec. 6. "Disqualifying offense" means:

(1) a felony; or

(2) a misdemeanor if an element of the offense involves dishonesty, violence, or a deadly weapon.

*As added by P.L.261-1985, SEC.1.*

**IC 27-10-1-7**

**"Insurer"**

Sec. 7. "Insurer" means any domestic, foreign, or alien surety company which has qualified generally to transact surety business under the requirements of this title and specifically to transact bail bond business in this state.

*As added by P.L.261-1985, SEC.1. Amended by P.L.149-1986, SEC.60.*

**IC 27-10-1-7.5**

**"License"**

Sec. 7.5. "License" has the meaning set forth in IC 25-1-2-6.

*As added by P.L.23-1996, SEC.27.*

**IC 27-10-1-8**

**"Premium"**

Sec. 8. "Premium" means:

(1) currency issued by the United States of America paid to a bail agent prior to the execution of a bail bond;

(2) a check delivered to a bail agent prior to the execution of the bail bond that must be:

(A) properly payable when delivered; and

(B) deposited in the bail agent's bank account; or

(3) a credit card transaction if the bail agent:

(A) accepts the credit card; and

(B) obtains:

(i) authorization from the credit card issuer for the amount due; and

(ii) an approval number from the credit card issuer for the credit card transaction;

before the execution of the bail bond.

*As added by P.L.261-1985, SEC.1. Amended by P.L.224-1993, SEC.3; P.L.348-1995, SEC.1.*

#### **IC 27-10-1-9**

##### **"Recovery agent"**

Sec. 9. "Recovery agent" means a person who is offered or given any compensation by a bail agent or surety in exchange for assisting the bail agent or surety in apprehending or surrendering any defendant or keeping a defendant under necessary surveillance. This does not affect the right of bail agents or sureties to hire counsel or to ask assistance of law enforcement officers.

*As added by P.L.261-1985, SEC.1. Amended by P.L.224-1993, SEC.4.*

#### **IC 27-10-1-10**

##### **"Surety"**

Sec. 10. "Surety" means any person who satisfies the qualifications of IC 27-10-2-4 and who agrees to pay the bond in the event the defendant fails to appear in court at the scheduled date and time.

*As added by P.L.261-1985, SEC.1.*

#### **IC 27-10-1-11**

##### **"Transfer fee"**

Sec. 11. "Transfer fee" means a service charge made by an insurer, in addition to the premium, when a bond is executed by an agent of the insurer for another agent in a different jurisdiction.

*As added by P.L.261-1985, SEC.1.*