

Check List of Documents Required at Time of Submitting Application

Corporation Bail Bond License

DATE APPLICATION PREPARED _____ ORIGINAL OR RENEWAL: _____ LIC.NO. _____

CORPORATE SURETY _____ CORPORATE OFFICER: _____

AGENT FOR THE CORPORATION: _____

BONDING CO. NAME _____ DATE ORIGINAL LIC. APPROVED: _____

Check List of Documents Required at Time of Submitting Application

- ___ Original or Renewal Application from the Corporate Surety, as applicant, including the registered corporate agent for service of process' name, address and phone number.
- ___ A letter of authorization from the corporate officer designating the individual who will answer and act on behalf of the corporation at the time the application is presented to the Board for approval.
- ___ A five hundred (\$500.00) non-refundable application fee from the Corporate Surety, made payable to the Wharton County Bail Bond Board.
- ___ A current sworn Financial Statement from the Corporation.
- ___ Three (3) letters of recommendation about the Agent of the business, from three (3) reputable persons, who have known the Agent for a period of at least three (3) years, excluding relatives. A statement of fact shall be signed stating the individuals are not related, nor do they have any interest in the licensee's business. The application shall include the printed name, address and phone number of the individuals giving the recommendation. If the Agent for the Corporation's business has been licensed under the Bail Bond Act in another county, the application shall be accompanied by a letter from each appropriate Board stating whether or not the Agent is in good standing in the county where he/she is, or was licensed.
- ___ Current photographs and finger print card of the Agent taken by the Wharton County Sheriff's Office.
- ___ A properly completed application for the Agents identification card.
- ___ A Copy of the "Certificate of Authority" to do business in the State of Texas, issued by the State Board of Insurance.
- ___ A "Power of Attorney", or certified copy properly filed with the Wharton County Clerk, designating and authorizing the Agent to execute bail bonds on behalf of the Corporation.
- ___ Assumed name certificate, or certified copy properly filed with the Wharton County Clerk, listing all names of owners and principals.

- An Affidavit from the owner of all bail bond companies that you have worked for in the two years preceding the filing of this application, certifying the date of your employment.
- A certificate(s) of completion showing 8 hours of continuing legal education in criminal law courses or bail bond law courses that are approved by the State Bar of Texas and offered by an institution of higher education accredited by the state.

Reminder:

Upon approval by the Board, of the issuance of a license, the Corporate licensee must submit an acceptable collateral deposit such as, but not limited to, an irrevocable letter of credit, this letter of credit must run concurrent with the licensing date, and must be from a federal insured financial institution, in the amount of at least \$50,000.00, made payable to the Wharton County Treasurer, to satisfy any judgment of forfeiture that may be made on any bonds on which the corporate licensee is surety. Irrevocable letter of credit shall be automatically renewed during the period of licensure, except that the issuer shall notify the Wharton County Bail Bond Board of its successor, in writing, 90 days prior to expiration or termination of the issuer's intent not to renew the letter of credit.

If the Corporation relies on a certificate of deposit or cashiers check, they shall be from an institution insured by the federal government. Certificate of deposit or cashier's check must be signed as follows: "Wharton County Treasurer for the benefit of Corporate Surety's name". A signed and complete Assignment of Security must accompany all certificates of deposit. This document can be obtained from the Bail Bond Board Administrator.

WHARTON COUNTY BAIL BOND LICENSE APPLICATION FOR A CORPORATION

Note: You Must Submit One Original And One Copy To The Board Office

Date of Application _____ New Application ____ Renewal Application _____

If renewal, please list license number and expiration date _____

Name of Applicant _____

Business Name _____

Applicant's Address _____

Phone Number _____

E-mail Address _____ Fax _____

Physical Address where business is conducted within County _____

(Tex.Occ. Code Ann. § 1704.213 (Vernon Supp. 2003).

FOR BACKGROUND CHECK ONLY

Name, address and background information of the person who is the agent designated by the corporation in this county.

Name _____

Mailing Address _____

Phone Number _____ Sex _____ DOB _____ SSN _____

Drivers license number _____

Home Address _____

Name and address for Agent for service of process

Name _____

Address for service _____

Phone Number _____

Fax Number _____

The following are names of all employees and agents actively engaged with the applicant in processing the giving or making of bail bonds within the county. Applicant further attaches hereto the personal information sheet (*Exhibit "A"*) for the applicant and each employee and agent. The applicant agrees that he will file with the Wharton County Bail Bond Board additional personal information sheets on all employees and agents subsequently employed. *Such information shall be filed within thirty (30) days of each such employment.*

Applicant agrees that all licensed sureties or agents who execute bonds on his/her behalf are required to have on file a current signature card on the form provided by the board before they will be permitted to execute bonds as directed by the Board.

Are you a corporation? Yes _____ No _____

If yes, please answer the following

1) Are you a Texas Corporation licensed to do business in Texas?

Yes _____ No _____

2) If not a Texas Corporation, what is the state of your incorporation? _____

3) Are you qualified to write fidelity, guaranty and surety bonds under the Texas Insurance Code as amended? Yes _____ No _____

Tex. Occ. Code Ann. §1704.211 and §1704.154(b)(2) (Vernon Supp. 2003).

4) Attach a certified copy of your franchise tax permit and certificate of authority to do business.

5) Any corporation which acts a surety shall, before executing any bail bond, first file in the office of the County Clerk, a Power of Attorney designating and authorizing the named agent of such corporation to execute such bail bonds by such agent. This Power of Attorney shall be a valid and binding obligation of the corporation. A separate license is required for each agent operating under a corporate Power of Attorney. Tex. Occ. Code Ann. §1704.160 (a)(2) (Vernon Supp. 2003).

6) If license is approved, the corporation shall furnish a cashier's check, certificate of deposit, or cash in the amount of \$50,000. Tex. Occ. Code Ann. §1704.160 (a) (2) (Vernon Supp. 2003).

7) The collateral supplied shall be used to pay the final judgment of any bond forfeitures that result from the licensee's execution of a bail bond.

The amount of cash value of any certificates of deposit or cashier's check you, as the applicant, intend to place on deposit with the Wharton County Treasurer

Certificates of Deposit or Cashier's Checks:

I.D. Number _____ Amount _____

I.D. Number _____ Amount _____

I.D. Number _____ Amount _____

Certificates of Deposit or Cashier's Check should read: **"Wharton County Treasurer for the benefit of Bondsman's name"**

If the license is approved, deliver the cashier's check, certificate of deposit, or cash to the Wharton County Treasurer's Office within 90 days following the Board's tentative approval of the license. Tex. Occ. Code Ann. §1704.155 (Vernon Supp. 2003).

Have you or your agent ever been convicted or granted probation for any criminal offense? (Traffic convictions in Justice or Municipal Courts need not be listed) Tex. Occ. Code Ann. §1704.153 and §1704.252 (Vernon Supp. 2003).

Yes _____ No _____

If yes, list the name of the offense, the court, the date, and disposition.

Are you involved in any civil litigation at this time (including bail bond litigation)?

Yes _____ No _____

If yes, give the date of filing each suit, names of the parties and court in which pending and brief description of the nature of litigation.

Is the applicant currently in the bail bond business? Yes _____ No _____

If yes, list name of bail bond company (companies) and all counties with which you are currently associated. Tex. Occ. Code Ann. §1704.152 (Vernon Supp. 2003).

Has the applicant been previously engaged in the bail bond business? Yes _____ No _____

If yes, list the name of the company (companies) previously associated with

If applicant or agent designated by the corporation has been licensed under Tex. Occ. Code Ann. §1704 (Vernon Supp. 2003). in another county, the application shall be accompanied by-a sworn statement from the agent designated by the corporation that he/she has **no** unpaid final judgments. Exhibit "B". Tex Occ.Code Ann. § 1704.152 (Vernon Supp. 2003).

Has applicant been denied or refused a license to act as a bondsman? (This includes revocation or suspension of a license.) Yes _____ No _____

If yes, where and when did such action occur.

Has the agent designated by the corporation been denied or refused a license to act as a bondsman? (This includes revocation or suspension of a license.) Yes _____ No _____

If yes, where and when did such action occur.

Applicant shall submit a fee a \$500.00 made payable to the Wharton County Treasurer for the filing of any original or renewal application, and a copy of the receipt submitted with this application. Applications without a receipt from the Wharton County Treasurer will not be processed. Tex. Occ. Code Ann. §1704.154 (b)(D) (Vernon Supp. 2003).

Applicant shall submit Exhibit ("C") acknowledging the proper apprenticeship and continuing legal education. Tex. Occ. Code Ann. § 1704.152 (Vernon Supp. 2003).

Applicant's agent shall submit a photograph and fingerprints of the applicant's agent taken by the Sheriff's Office, along with this application. Tex. Occ. Code Ann. §1704.154(b)(4)(E) and (F) (Vernon Supp. 2003).

Applicant shall attach letters of recommendation from three (3) reputable persons who have known the applicant's agent for a period of at least (3) years, recommending the applicant's agent "has a reputation of honesty, truthfulness, fair dealing and competency," and recommending the Board grant approval of the license to the applicant. Tex. Occ. Code Ann. §1704.154(c) (Vernon Supp. 2003).

Applicant agrees to attach a current financial statement. *Exhibit "D"*.

Applicant declares that it and all employees including the agent designated by the corporation have read and will comply with Tex. Occ. Code Ann. §1704 (Vernon Supp. 2003), Tex. Code Crim. Proc. Ann. §17 and §22 (Vernon Supp. 2003), and the rules prescribed by the Board.

Applicant shall submit to the Board a valid assumed name certificate or certified copy thereof, properly filed with the County Clerk of Wharton County indicating the name in which the applicant will conduct business in Wharton County. Tex. Occ. Code Ann. §1704.154 (Vernon Supp. 2003).

Applicant agrees and consents that in the event this application is found to contain any false statements, omission of material information or misrepresentation of any kind, this application may be disapproved, suspended or revoked. Tex. Occ. Code Ann. §1704.252 (Vernon Supp. 2003).

Applicant agrees that no licensee may use a telephone number, address or office of a non-licensee to conduct any bail bond activities and will not advertise or solicit under an unlicensed name, telephone number, address, or logo. Tex. Occ. Code Ann. §§ 1704.109 & 1704.303 (Vernon Supp. 2003). The Applicant understands that such advertisement or solicitation may result in the suspension or revocation of its license. Tex. Occ. Code Ann. §§ 1704.109 & 1704.303 (Vernon Supp. 2003).

APPLICANT

The State of Texas)
County of Wharton)

Before me, the undersigned authority, a Notary Public in and for The State of Texas, on this day personally appeared _____, who, after being by me duly sworn, on oath deposes and says:

My name is _____. I am capable of making this affidavit and competent to testify to matters stated hereby; I am personally acquainted with the facts stated in this application and know such facts to be true and correct. I further swear all facts and information are true and correct.

APPLICANT

Given under my Hand and Seal of Office, this the _____ day of _____, 20____.

SEAL

Notary public in and for the State of Texas

EXHIBIT "A"

BAIL BOND I.D. APPLICATION
WHARTON COUNTY

DATE: _____

EMPLOYER: _____

NAME: _____ RACE: _____ SEX: _____

 Last, First, Middle, Maiden

TELEPHONE:

Home _____ Work _____

By what other names have you been known (nicknames, alias * refer to next question)

_____ Have you legally changed your name? _____ If yes, date: _____

Place: _____ Court: _____

Date of Birth: _____ Age: _____ Social Security Number: _____

Place of Birth: City _____ County _____ State _____

Height: _____ Weight: _____

Current Drivers License: _____ State _____ Expiration date: _____

Naturalized: No ___ Yes ___ If Yes,
Where _____

Are You: Single ___ Married ___ Divorced ___

Full Name of Spouse: _____

 Last, First, Middle, Maiden

Date of Birth: _____ Age: _____ Social Security Number: _____

Current Drivers License: _____ State _____ Expiration date: _____

List all the address where you have lived during the past five (5) years:

From-To	Street Address	City, State

EXHIBIT "B"

**CERTIFICATE OF NO OUTSTANDING
FINAL JUDGMENTS**

This is to certify that I, the Applicant or agent designated by the corporation, have no outstanding, unpaid judgments in any of the counties of the State of Texas.

Affiant's Signature

The State of Texas §
County of Wharton §

_____, being duly sworn, deposes and says: The foregoing certification of no outstanding final judgments, marked *Exhibit "B"* is true and correct and is within my personal knowledge.

Subscribed and sworn to, before me, this the _____ day of _____, 20__.

Notary Public in and for the State of Texas

SEAL

EXHIBIT "C"

**STATEMENT OF APPRENTICESHIP AND
CONTINUING LEGAL EDUCATION**

1. In the two (2) years preceding this application, I have had at least one year of continuous work experience in the bail bond business.

Dates of continuous work experience:

B. Name of company where experience was obtained:

C. Name of supervisor where experience was obtained:

2. I have completed at least eight (8) hours of continuing legal education in criminal law courses or bail bond law courses that are approved by the State Bar of Texas and are offered by an institution of higher education accredited by the state.

Name of the course(s) of continuing legal education taken and number of hours per course:

Where the course(s) of continuing legal education were taken:

C. Dates the course(s) were taken:

3. If you are eligible for an exemption, please state and describe below [Tex. Occ. Code Ann. § 1704.109 (c)(2) (Vernon Supp. 2003).]:

Affiant's Signature

The State of Texas §
County of Wharton §

_____, being duly sworn, deposes and says: The foregoing statement, marked *Exhibit "C"* is a full and complete statement of my apprenticeship and continuing legal education. This statement is true and correct and is within my personal knowledge.

Subscribed and sworn to, before me, this the _____ day of _____, 20__.

Notary Public in and for the State of Texas

SEAL

EXHIBIT "D"

FINANCIAL STATEMENT

(PLEASE ATTACH HERE)