
HOUSE BILL 1373

State of Washington 56th Legislature 1999 Regular Session

By Representatives Carrell, Campbell, Lambert, Thomas and Boldt

Read first time 01/22/1999. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to bail enforcement agents; amending RCW
2 18.185.010, 18.185.040, 18.185.050, 18.185.110, 18.185.170, and
3 70.48.100; adding new sections to chapter 18.185 RCW; adding a new
4 section to chapter 43.101 RCW; and prescribing penalties.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 18.185 RCW
7 to read as follows:

8 The legislature recognizes that it is within the public interest to
9 remove fugitives from the street and that bail enforcement agents serve
10 a useful purpose in the criminal justice system. The legislature also
11 recognizes that locating, apprehending, and surrendering fugitives
12 requires special skills and knowledge, and that bail enforcement agents
13 are often required to perform their duties under stressful and
14 demanding conditions. Therefore, in the interest of public safety, the
15 legislature finds it necessary for individuals to meet certain minimum
16 qualifications before they can perform the duties of bail enforcement
17 agents.

18 In addition, the legislature recognizes that bail enforcement
19 agents often communicate with law enforcement agencies and that such

1 communication allows the bail enforcement agent to better perform his
2 or her duties and ensures that the local law enforcement agency is
3 aware of the activities in its jurisdiction. The legislature therefore
4 encourages maximum cooperation and communication between bail
5 enforcement agents and local law enforcement agencies for the purposes
6 of serving the public interest.

7 **Sec. 2.** RCW 18.185.010 and 1996 c 242 s 1 are each amended to read
8 as follows:

9 Unless the context clearly requires otherwise, the definitions in
10 this section apply throughout this chapter.

11 (1) "Department" means the department of licensing.

12 (2) "Director" means the director of licensing.

13 (3) "Collateral or security" means property of any kind given as
14 security to obtain a bail bond.

15 (4) "Bail bond agency" means a business that sells and issues
16 corporate surety bail bonds or that provides security in the form of
17 personal or real property to insure the appearance of a criminal
18 defendant before the courts of this state or the United States.

19 (5) "Qualified agent" means an owner, sole proprietor, partner,
20 manager, officer, or chief operating officer of a corporation who meets
21 the requirements set forth in this chapter for obtaining a bail bond
22 agency license.

23 (6) "Bail bond agent" means a person who is employed by a bail bond
24 agency and engages in the sale or issuance of bail bonds, but does not
25 mean a clerical, secretarial, or other support person who does not
26 participate in the sale or issuance of bail bonds.

27 (7) "Licensee" means a bail bond agency or a bail bond agent or
28 both.

29 (8) "Branch office" means any office physically separated from the
30 principal place of business of the licensee from which the licensee or
31 an employee or agents conduct any activity meeting the criteria of
32 (({a+})) a bail bond agency.

33 (9) "Bail enforcement agent" means a person who receives
34 compensation or reward for apprehending and surrendering a defendant
35 for whom a bail bond has been posted. "Bail enforcement agent" does
36 not include a bail bond agent or qualified agent who apprehends and
37 surrenders a defendant for whom the bail bond agent or qualified agent

1 posted a bond. "Bail enforcement agent" does not include any law
2 enforcement officer.

3 (10) "Independent bail enforcement agent" means a bail enforcement
4 agent who is not affiliated or employed by one bail bond agency, bail
5 bond agent, or qualified agent and who enters into individual contracts
6 with bail bond agencies, bail bond agents, or qualified agents to
7 perform the duties of a bail enforcement agent.

8 (11) "Commission" means the criminal justice training commission
9 established in chapter 43.101 RCW.

10 (12) "Planned forced entry" means a premeditated forcible entry
11 into a building or dwelling without the occupants' knowledge or consent
12 for the purpose of apprehending a defendant suspected of hiding or
13 otherwise securing himself or herself in the building or dwelling.
14 "Planned forced entry" does not include situations when, during the
15 actual chase of a fleeing defendant, the bail enforcement agent enters
16 into a building or dwelling without advanced planning.

17 NEW SECTION. Sec. 3. A new section is added to chapter 18.185 RCW
18 to read as follows:

19 (1) A person must meet the following minimum requirements to obtain
20 a bail enforcement agent license:

21 (a) Be at least twenty-one years of age;

22 (b) Be a citizen or resident alien of the United States;

23 (c) Not have been convicted of a crime in any jurisdiction in the
24 preceding ten years that the director determines directly relates to
25 the capacity to perform the duties of a bail enforcement agent. If the
26 director determines that the person should not be allowed to act as a
27 bail enforcement agent for the protection of the citizens of Washington
28 state, the director's determination must be consistent with the
29 restoration of employment rights act, chapter 9.96A RCW;

30 (d) Not currently be engaged in law enforcement or be vested with
31 police powers;

32 (e) Have passed a written examination given by the department
33 measuring knowledge and competence of the bail bond business and
34 relevant statutes and case law. The department shall formulate the
35 examination after consulting with the bail bond industry;

36 (f) Have a license to carry a concealed pistol;

37 (g) Have a current firearms certificate issued by the commission;

38 and

1 (h) Have filed with the director the bond required in subsection
2 (2) of this section if the applicant is not employed by or does not
3 have an employment offer from a licensed bail bond agency, bail bond
4 agent, or qualified agent.

5 (2)(a) No bail enforcement agent license may be issued under this
6 chapter to an applicant who will act as an independent bail enforcement
7 agent unless the person files with the director a bond, executed by a
8 surety company authorized to do business in this state, in the sum of
9 ten thousand dollars conditioned to recover against the independent
10 bail enforcement agent and his or her servants, officers, and employees
11 for injury or damages or for violation of any provision in this
12 chapter. The bond shall be made payable to the state of Washington,
13 and anyone so injured by the independent bail enforcement agent or his
14 or her servants, officers, or employees may bring suit upon the bond in
15 any county in which jurisdiction over the independent bail enforcement
16 agent may be obtained. The suit must be brought no later than two
17 years after the injury. An action upon the bond is not an exclusive
18 remedy.

19 (b) Every independent bail enforcement agent must at all times
20 maintain on file with the director, and in full force and effect, the
21 bond required by this section. Upon failure by an independent bail
22 enforcement agent to do so, the director shall suspend the independent
23 bail enforcement agent's license and shall not reinstate the license
24 until this requirement is met.

25 (c) In lieu of posting a bond, an independent bail enforcement
26 agent may deposit in an interest-bearing account the amount required.

27 (3) The department shall issue a bail enforcement agent license to
28 any person satisfying the requirements in subsection (1) of this
29 section.

30 NEW SECTION. **Sec. 4.** A new section is added to chapter 18.185 RCW
31 to read as follows:

32 Any bail bond agent or qualified agent licensed under this chapter
33 who apprehends and surrenders defendants for whom the bail bond agency,
34 bail bond agent, or qualified agent posted bond must obtain the same
35 firearms training as required of bail enforcement agents and possess a
36 license to carry a concealed pistol and a current firearms certificate
37 issued by the commission.

1 NEW SECTION. **Sec. 5.** A new section is added to chapter 18.185 RCW
2 to read as follows:

3 (1) Before a bail enforcement agent, bail bond agent, or qualified
4 agent can apprehend a defendant in a planned forced entry, he or she
5 must notify the law enforcement agencies in the local jurisdiction in
6 which the apprehension will take place. Notification must include, but
7 is not limited to, the name of the defendant, the address of the
8 building or dwelling where the planned forced entry will occur, the
9 name of the bail enforcement agent, bail bond agent, or qualified
10 agent, and the offense the defendant allegedly committed.

11 (2) During a planned forced entry, a bail enforcement agent, bail
12 bond agent, or qualified agent shall wear a garment, such as a vest,
13 bib, or shirt, with the words "BAIL ENFORCEMENT AGENT" printed across
14 the garment. The lettering must be in large block print so that the
15 wearer is readily and easily identified as a bail enforcement agent
16 from both the front and the back of the wearer.

17 **Sec. 6.** RCW 18.185.040 and 1993 c 260 s 5 are each amended to read
18 as follows:

19 (1) Applications for licenses required under this chapter shall be
20 filed with the director on a form provided by the director. The
21 director (~~may~~) shall require any information and documentation that
22 reasonably relates to the need to determine whether the applicant meets
23 the criteria, which may include fingerprints.

24 (2) Applications to obtain a bail enforcement agent license shall
25 be filed with the director on a form provided by the director. The
26 director shall require information and documentation that reasonably
27 relates to determining whether the applicant satisfies the
28 prerequisites to obtain a bail enforcement agent license.

29 (3) After receipt of an application for a license, the director
30 (~~may~~) shall conduct an investigation to determine whether the facts
31 set forth in the application are true.

32 **Sec. 7.** RCW 18.185.050 and 1993 c 260 s 6 are each amended to read
33 as follows:

34 (1) The director shall issue a bail bond agent license card to each
35 licensed bail bond agent. A bail bond agent shall carry the license
36 card whenever he or she is performing the duties of a bail bond agent
37 and shall exhibit the card upon request.

1 (2) The director shall issue a license certificate to each licensed
2 bail bond agency.

3 (a) Within seventy-two hours after receipt of the license
4 certificate, the licensee shall post and display the certificate in a
5 conspicuous place in the principal office of the licensee within the
6 state.

7 (b) It is unlawful for any person holding a license certificate to
8 knowingly and willfully post the license certificate upon premises
9 other than those described in the license certificate or to materially
10 alter a license certificate.

11 (c) Every advertisement by a licensee that solicits or advertises
12 business shall contain the name of the licensee, the address of record,
13 and the license number as they appear in the records of the director.

14 (d) The licensee shall notify the director within thirty days of
15 any change in the licensee's officers or directors or any material
16 change in the information furnished or required to be furnished to the
17 director.

18 (3)(a) The director shall issue a bail enforcement agent license to
19 each person who satisfies the requirements of section 3 of this act.
20 The license is valid for two years from the date it is issued unless
21 suspended or revoked prior to that date. Licensed bail enforcement
22 agents may obtain, at their own expense, badges of a uniform design
23 that has been approved by the director. The director shall consult
24 with the law enforcement and bail bond industry before approving the
25 design.

26 (b) A bail enforcement agent is required to take an updated written
27 examination every two years. Upon application for renewal of a bail
28 enforcement agent license, the director may conduct an investigation
29 and background check to determine if the applicant continues to meet
30 the qualifications to perform the duties of a bail enforcement agent.
31 In addition, a bail enforcement agent is required to renew his or her
32 firearms certificates annually.

33 **Sec. 8.** RCW 18.185.110 and 1993 c 260 s 12 are each amended to
34 read as follows:

35 The following acts are prohibited and constitute grounds for
36 disciplinary action or denial, suspension, or revocation of any license
37 under this chapter, as deemed appropriate by the director:

1 (1) Knowingly violating any of the provisions of this chapter or
2 the rules adopted under this chapter;

3 (2) Knowingly making a material misstatement or omission in the
4 application for or renewal of a license;

5 (3) Failing to meet the qualifications set forth in RCW 18.185.020
6 and 18.185.030;

7 (4) Failing to meet the requirements established in section 3 of
8 this act;

9 (5) Conviction of a gross misdemeanor or felony or the commission
10 of any act involving moral turpitude, dishonesty, or corruption whether
11 the act constitutes a crime or not. If the act constitutes a crime,
12 conviction in a criminal proceeding is not a condition precedent to
13 disciplinary action. Upon such a conviction, however, the judgment and
14 sentence is conclusive evidence at the ensuing disciplinary hearing of
15 the guilt of the license holder or applicant of the crime described in
16 the indictment or information, and of the person's violation of the
17 statute on which it is based. For the purposes of this section,
18 conviction includes all instances in which a plea of guilty or nolo
19 contendere is the basis for the conviction and all proceedings in which
20 the sentence has been deferred or suspended. Nothing in this section
21 abrogates rights guaranteed under chapter 9.96A RCW;

22 ~~((+5))~~ (6) Advertising that is false, fraudulent, or misleading;

23 ~~((+6))~~ (7) Incompetence or negligence that results in injury to a
24 person or that creates an unreasonable risk that a person may be
25 harmed;

26 ~~((+7))~~ (8) Suspension, revocation, or restriction of the
27 individual's license to practice the profession by competent authority
28 in any state, federal, or foreign jurisdiction, a certified copy of the
29 order, stipulation, or agreement being conclusive evidence of the
30 revocation, suspension, or restriction;

31 ~~((+8))~~ (9) Failure to cooperate with the director by not:

32 (a) Furnishing any necessary papers or documents requested by the
33 director for purposes of conducting an investigation for disciplinary
34 action, denial, suspension, or revocation of a license under this
35 chapter;

36 (b) Furnishing in writing a full and complete explanation covering
37 the matter contained in a complaint filed with the department; or

38 (c) Responding to subpoenas issued by the director, whether or not
39 the recipient of the subpoena is the accused in the proceeding;

1 ~~((9))~~ (10) Failure to comply with an order issued by the director
2 or an assurance of discontinuance entered into with the director;
3 ~~((10))~~ (11) Aiding or abetting an unlicensed person to practice
4 if a license is required;
5 ~~((11))~~ (12) Knowingly committing, or being a party to, any
6 material fraud, misrepresentation, concealment, conspiracy, collusion,
7 trick, scheme, or device whereby any other person lawfully relies upon
8 the word, representation, or conduct of the licensee;
9 ~~((12))~~ (13) Failure to adequately supervise employees to the
10 extent that the client funds are at risk;
11 ~~((13))~~ (14) Interference with an investigation or disciplinary
12 proceeding by willful misrepresentation of facts before the director or
13 the director's authorized representative, or by the use of threats or
14 harassment against any client or witness to prevent them from providing
15 evidence in a disciplinary proceeding or any other legal action;
16 ~~((14))~~ (15) Assigning or transferring any license issued pursuant
17 to the provisions of this chapter, except as provided in RCW
18 18.185.030;
19 ~~((15))~~ (16) Conversion of any money or contract, deed, note,
20 mortgage, or other evidence of title, to his or her own use or to the
21 use of his or her principal or of any other person, when delivered to
22 him or her in trust or on condition, in violation of the trust or
23 before the happening of the condition; and failure to return any money
24 or contract, deed, note, mortgage, or other evidence of title within
25 thirty days after the owner is entitled to possession, and makes demand
26 for possession, shall be prima facie evidence of conversion;
27 ~~((16))~~ (17) Failing to keep records, maintain a trust account, or
28 return collateral or security, as required by RCW 18.185.100;
29 ~~((17))~~ (18) Any conduct in a bail bond transaction which
30 demonstrates bad faith, dishonesty, or untrustworthiness; ~~((or~~
31 ~~(18))~~ (19) Violation of an order to cease and desist that is
32 issued by the director under this chapter;
33 (20) Employing, hiring, or receiving any assistance from a person
34 performing the functions and duties of a bail enforcement agent who
35 does not have a valid, current license issued by the department or who
36 does not have a valid, current firearms certificate issued by the
37 commission;
38 (21) Failure to notify local law enforcement agencies before
39 apprehending a defendant in a planned forced entry;

1 (22) Failure to wear identifying garments during a planned forced
2 entry; or

3 (23) Using a defendant's photograph received from a law enforcement
4 agency for any purposes other than identification of the defendant or
5 disseminating the photograph to third parties not involved in the
6 actual apprehension and surrender of the defendant.

7 **Sec. 9.** RCW 18.185.170 and 1993 c 260 s 18 are each amended to
8 read as follows:

9 (1) The director shall investigate complaints concerning practice
10 by unlicensed persons of a profession or business for which a license
11 is required by this chapter. In the investigation of the complaints,
12 the director has the same authority as provided the director under RCW
13 18.185.140. The director shall issue a cease and desist order to a
14 person after notice and hearing and upon a determination that the
15 person has violated this subsection. If the director makes a written
16 finding of fact that the public interest will be irreparably harmed by
17 delay in issuing an order, the director may issue a temporary cease and
18 desist order. The cease and desist order shall not relieve the person
19 practicing or operating a business without a license from criminal
20 prosecution therefor, but the remedy of a cease and desist order shall
21 be in addition to any criminal liability. The cease and desist order
22 is conclusive proof of unlicensed practice and may be enforced under
23 RCW 7.21.060. This method of enforcement of the cease and desist order
24 may be used in addition to, or as an alternative to, any provisions for
25 enforcement of agency orders.

26 (2) The attorney general, a county prosecuting attorney, the
27 director, or any person may, in accordance with the law of this state
28 governing injunctions, maintain an action in the name of this state to
29 enjoin any person practicing a profession or business for which a
30 license is required by this chapter without a license from engaging in
31 such practice or operating such business until the required license is
32 secured. However, the injunction shall not relieve the person
33 practicing or operating a business without a license from criminal
34 prosecution therefor, but the remedy by injunction shall be in addition
35 to any criminal liability.

36 (3) After June 30, 1994, any person who performs the functions and
37 duties of a bail bond agent in this state without being licensed in
38 accordance with the provisions of this chapter, or any person

1 presenting or attempting to use as his or her own the license of
2 another, or any person who gives false or forged evidence of any kind
3 to the director in obtaining a license, or any person who falsely
4 impersonates any other licensee, or any person who attempts to use an
5 expired or revoked license, or any person who violates any of the
6 provisions of this chapter is guilty of a gross misdemeanor.

7 (4) After January 1, 1994, a person is guilty of a gross
8 misdemeanor if he or she owns or operates a bail bond agency in this
9 state without first obtaining a bail bond agency license.

10 (5) After June 30, 1994, the owner or qualified agent of a bail
11 bond agency is guilty of a gross misdemeanor if he or she employs any
12 person to perform the duties of a bail bond agent without the employee
13 having in his or her possession a permanent bail bond agent license
14 issued by the department.

15 (6) After July 1, 2000, any person who performs the functions and
16 duties of a bail enforcement agent in this state without being licensed
17 in accordance with this chapter, or any person presenting or attempting
18 to use as his or her own the license of another, or any person who
19 falsely claims to be a bail enforcement agent or creates an impression
20 that he or she is a bail enforcement agent, or any person who gives
21 false or forged evidence of any kind to the director in obtaining a
22 license, or any person who violates any of the provisions of this
23 chapter is guilty of a gross misdemeanor.

24 (7) All fees, fines, forfeitures, and penalties collected or
25 assessed by a court because of a violation of this section shall be
26 remitted to the department.

27 NEW SECTION. Sec. 10. A new section is added to chapter 18.185
28 RCW to read as follows:

29 (1)(a) A bail enforcement agent from another state who is not
30 licensed in Washington may operate temporarily in this state for up to
31 thirty days per year if the bail enforcement agent obtains a temporary
32 bail enforcement agent license from the director or the bail
33 enforcement agent from another state works under direct supervision of
34 a Washington state-licensed bail enforcement agent for the period in
35 which the bail enforcement agent will operate in this state. If the
36 bail enforcement agent from another state is working under the direct
37 supervision of a Washington state-licensed bail enforcement agent, the

1 Washington state-licensed bail enforcement agent must be physically
2 present during the actual apprehension of the defendant.

3 (b) The director may issue a temporary bail enforcement agent
4 license to a person from another state who the director finds is
5 sufficiently qualified to act as a bail enforcement agent in this
6 state. The director may consider whether the person is certified or
7 licensed as a bail enforcement agent in another state.

8 (2) A bail enforcement agent from another state operating in this
9 state under subsection (1) of this section may apply to the department
10 for a limited extension of the thirty-day-per-year time period.

11 (3) Except as provided in subsection (5) of this section, bail
12 enforcement agents from other states may not carry firearms while in
13 the performance of their duties in Washington.

14 (4) A person from another state who is not licensed in Washington
15 and is operating temporarily in Washington may not solicit business in
16 this state or represent himself or herself as being licensed in this
17 state.

18 (5) The director may establish an agreement with another state
19 whereby the other state's licensed or certified bail enforcement agents
20 may be licensed in Washington if the director determines that the other
21 state has acceptable standards for bail enforcement agents to
22 reasonably meet the standards in Washington and the other state
23 authorizes Washington's licensed bail enforcement agents to operate in
24 that state. The agreement may authorize the other state's bail
25 enforcement agents to carry firearms while performing their duties in
26 Washington if the director determines that the other state has
27 acceptable standards for bail enforcement agents to reasonably meet the
28 firearms training standards in Washington and the other state
29 authorizes Washington's licensed bail enforcement agents to carry
30 firearms while operating in that state.

31 (6) Any person who performs the functions and duties of a bail
32 enforcement agent in this state in violation of this section is guilty
33 of a gross misdemeanor.

34 NEW SECTION. **Sec. 11.** A new section is added to chapter 18.185
35 RCW to read as follows:

36 (1)(a) Upon request of the bail bond agency, bail bond agent, or
37 qualified agent, the law enforcement agency that arrested the defendant
38 for the crime under which the defendant obtained bail shall provide to

1 the bail bond agency, bail bond agent, or qualified agent a photograph
2 of the defendant, if one was taken when the defendant was arrested.
3 Before the law enforcement agency releases any photograph, it may
4 require the bail bond agency, bail bond agent, or qualified agent to
5 present copies of the bond agreement, warrant, indemnitor withdrawal,
6 or other documentation authorizing the apprehension and surrender of
7 the defendant.

8 (b) A bail bond agency, bail bond agent, or qualified agent may use
9 the photograph only for the purposes of correctly identifying the
10 defendant who will be apprehended and surrendered. The bail bond
11 agency, bail bond agent, or qualified agent may not disseminate the
12 photograph to any person other than the bail enforcement agent assigned
13 to apprehend and surrender the defendant.

14 (2) During the actual apprehension of a defendant, a bail
15 enforcement agent shall have with him or her copies of the bond
16 agreement, warrant, indemnitor withdrawal, or other documentation
17 authorizing the apprehension of the defendant and must exhibit such
18 documentation upon request.

19 (3) When performing the duties of a bail enforcement agent, the
20 person must carry on his or her person the bail enforcement agent's
21 license indicating the person is currently licensed by the department
22 to act as a bail enforcement agent in this state and must exhibit such
23 proof upon request.

24 NEW SECTION. **Sec. 12.** A new section is added to chapter 43.101
25 RCW to read as follows:

26 The commission shall establish a program for issuing firearms
27 certificates to bail enforcement agents for the purposes of obtaining
28 bail enforcement agent licenses. The commission shall adopt rules
29 establishing the fees, training requirements, and procedures for
30 obtaining and annually renewing firearms certificates. The fees
31 charged by the commission shall recover the costs incurred by the
32 commission in administering the firearms certificate program.

33 (1) Firearms training must be provided by an organization or
34 trainer approved by the commission and must consist of at least eight
35 hours of classes and proficiency training.

36 (2) Applications for firearms certificates shall be filed with the
37 commission on a form provided by the commission. The commission may
38 require any information and documentation that reasonably relates to

1 the need to determine whether the applicant qualifies for a firearms
2 certificate.

3 (3) The commission shall consult with the private bail enforcement
4 agent and bail bond industry and law enforcement before adopting or
5 amending the training requirements of this section.

6 (4) The commission may adopt rules that are reasonable and
7 necessary for the effective implementation and administration of this
8 section consistent with chapter 34.05 RCW.

9 **Sec. 13.** RCW 70.48.100 and 1990 c 3 s 130 are each amended to read
10 as follows:

11 (1) A department of corrections or chief law enforcement officer
12 responsible for the operation of a jail shall maintain a jail register,
13 open to the public, into which shall be entered in a timely basis:

14 (a) The name of each person confined in the jail with the hour,
15 date and cause of the confinement; and

16 (b) The hour, date and manner of each person's discharge.

17 (2) Except as provided in subsection (3) of this section the
18 records of a person confined in jail shall be held in confidence and
19 shall be made available only to criminal justice agencies as defined in
20 RCW 43.43.705; or

21 (a) For use in inspections made pursuant to RCW 70.48.070;

22 (b) In jail certification proceedings;

23 (c) For use in court proceedings upon the written order of the
24 court in which the proceedings are conducted; or

25 (d) Upon the written permission of the person.

26 (3)(a) Law enforcement may use booking photographs of a person
27 arrested or confined in a local or state penal institution to assist
28 them in conducting investigations of crimes. Law enforcement may
29 release a booking photograph of a person to the bail bond agency, bail
30 bond agent, or qualified agent, as defined in RCW 18.185.010, that
31 issued the bail bond to release the defendant.

32 (b) Photographs and information concerning a person convicted of a
33 sex offense as defined in RCW 9.94A.030 may be disseminated as provided
34 in RCW 4.24.550, 9A.44.130, 9A.44.140, 10.01.200, 43.43.540, 43.43.745,
35 46.20.187, 70.48.470, 72.09.330, and section 401, chapter 3, Laws of
36 1990.

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