
SENATE BILL 6556

State of Washington

64th Legislature

2016 Regular Session

By Senators Padden and Miloscia

Read first time 01/26/16. Referred to Committee on Law & Justice.

1 AN ACT Relating to authorizing the use of surety treatment bonds;
2 amending RCW 18.185.010; and adding a new section to chapter 2.28
3 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 2.28 RCW
6 to read as follows:

7 A specialty or therapeutic court may require a surety treatment
8 bond, as defined in RCW 18.185.010, to ensure the participation of a
9 juvenile or adult offender in a treatment program that addresses the
10 offender's particular needs.

11 **Sec. 2.** RCW 18.185.010 and 2004 c 186 s 2 are each amended to
12 read as follows:

13 Unless the context clearly requires otherwise, the definitions in
14 this section apply throughout this chapter.

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

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

17 (3) "Commission" means the criminal justice training commission.

18 (4) "Collateral or security" means property of any kind given as
19 security to obtain a bail bond.

1 (5) "Bail bond agency" means a business that sells and issues
2 corporate surety bail bonds or treatment bonds, or that provides
3 security in the form of personal or real property to ensure the
4 appearance of a criminal defendant before the courts of this state or
5 the United States or participation in a specialty or therapeutic
6 court.

7 (6) "Qualified agent" means an owner, sole proprietor, partner,
8 manager, officer, or chief operating officer of a corporation who
9 meets the requirements set forth in this chapter for obtaining a bail
10 bond agency license.

11 (7) "Bail bond agent" means a person who is employed by a bail
12 bond agency and engages in the sale or issuance of bail bonds or
13 treatment bonds, but does not mean a clerical, secretarial, or other
14 support person who does not participate in the sale or issuance of
15 bail bonds.

16 (8) "Licensee" means a bail bond agency, a bail bond agent, a
17 qualified agent, or a bail bond recovery agent.

18 (9) "Branch office" means any office physically separated from
19 the principal place of business of the licensee from which the
20 licensee or an employee or agent of the licensee conducts any
21 activity meeting the criteria of a bail bond agency.

22 (10) "Bail bond recovery agent" means a person who is under
23 contract with a bail bond agent to receive compensation, reward, or
24 any other form of lawful consideration for locating, apprehending,
25 and surrendering a fugitive criminal defendant for whom a bail bond
26 or treatment bond has been posted. "Bail bond recovery agent" does
27 not include a general authority Washington peace officer or a limited
28 authority Washington peace officer.

29 (11) "Contract" means a written agreement between a bail bond
30 agent or qualified agent and a bail bond recovery agent for the
31 purpose of locating, apprehending, and surrendering a fugitive
32 criminal defendant in exchange for lawful consideration.

33 (12) "Planned forced entry" means a premeditated forcible entry
34 into a dwelling, building, or other structure without the occupant's
35 knowledge or consent for the purpose of apprehending a fugitive
36 criminal defendant subject to a bail bond. "Planned forced entry"
37 does not include situations where, during an imminent or actual chase
38 or pursuit of a fleeing fugitive criminal defendant, or during a
39 casual or unintended encounter with the fugitive, the bail bond

1 recovery agent forcibly enters into a dwelling, building, or other
2 structure without advanced planning.

3 (13) "Treatment bond" means a corporate surety treatment bond or
4 security in the form of personal or real property to ensure the
5 participation of a juvenile or adult offender in a treatment program
6 ordered by a specialty or therapeutic court as defined in RCW
7 2.30.020.

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