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**SUBSTITUTE SENATE BILL 5714**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Senate Law & Justice (originally sponsored by Senators Trudeau, Torres, Hasegawa, Nobles, Valdez, and C. Wilson)

READ FIRST TIME 02/21/25.

1 AN ACT Relating to declaring civil immigration enforcement as  
2 unprofessional conduct of bail bond agents and bail bond recovery  
3 agents; and amending RCW 18.185.110.

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

5 **Sec. 1.** RCW 18.185.110 and 2008 c 105 s 4 are each amended to  
6 read as follows:

7 In addition to the unprofessional conduct described in RCW  
8 18.235.130, the following conduct, acts, or conditions constitute  
9 unprofessional conduct:

10 (1) Violating any of the provisions of this chapter or the rules  
11 adopted under this chapter;

12 (2) Failing to meet the qualifications set forth in RCW  
13 18.185.020, 18.185.030, and 18.185.250;

14 (3) Knowingly committing, or being a party to, any material  
15 fraud, misrepresentation, concealment, conspiracy, collusion, trick,  
16 scheme, or device whereby any other person lawfully relies upon the  
17 word, representation, or conduct of the licensee. However, this  
18 subsection (3) does not prevent a bail bond recovery agent from using  
19 any pretext to locate or apprehend a fugitive criminal defendant or  
20 gain any information regarding the fugitive;

1 (4) Assigning or transferring any license issued pursuant to the  
2 provisions of this chapter, except as provided in RCW 18.185.030 or  
3 18.185.250;

4 (5) Conversion of any money or contract, deed, note, mortgage, or  
5 other evidence of title, to his or her own use or to the use of his  
6 or her principal or of any other person, when delivered to him or her  
7 in trust or on condition, in violation of the trust or before the  
8 happening of the condition; and failure to return any money or  
9 contract, deed, note, mortgage, or other evidence of title within  
10 thirty days after the owner is entitled to possession, and makes  
11 demand for possession, shall be prima facie evidence of conversion;

12 (6) Failing to keep records, maintain a trust account, or return  
13 collateral or security, as required by RCW 18.185.100;

14 (7) Any conduct in a bail bond transaction which demonstrates bad  
15 faith, dishonesty, or untrustworthiness;

16 (8) Violation of an order to cease and desist that is issued by  
17 the director under chapter 18.235 RCW;

18 (9) Wearing, displaying, holding, or using badges not approved by  
19 the department;

20 (10) Making any statement that would reasonably cause another  
21 person to believe that the bail bond recovery agent is a sworn peace  
22 officer;

23 (11) Failing to carry a copy of the contract or to present a copy  
24 of the contract as required under RCW 18.185.270(1);

25 (12) Using the services of an unlicensed bail bond recovery agent  
26 or using the services of a bail bond recovery agent without issuing  
27 the proper contract;

28 (13) Misrepresenting or knowingly making a material misstatement  
29 or omission in the application for a license;

30 (14) Using the services of a person performing the functions of a  
31 bail bond recovery agent who has not been licensed by the department  
32 as required by this chapter;

33 (15) Performing the functions of a bail bond recovery agent  
34 without being both (a) licensed under this chapter or supervised by a  
35 licensed bail bond recovery agent under RCW 18.185.290; and (b) under  
36 contract with a bail bond agent;

37 (16) Performing the functions of a bail bond recovery agent  
38 without exercising due care to protect the safety of persons other  
39 than the defendant and the property of persons other than the  
40 defendant; ((~~or~~))

1           (17) Using a dog in the apprehension of a fugitive criminal  
2 defendant;

3           (18) Using the position of a bail bond recovery agent to enforce  
4 a civil immigration warrant as defined in RCW 43.17.420; or

5           (19) Failing to keep confidential by sharing a defendant's  
6 immigration status to anyone outside the bail bond agency's business.

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