

Part 6 Chapter 7: (95-101) Regulation Regarding Professional Bail Agent's Fines and Penalties.

Rule 7.01: Statutory Authority

This regulation is promulgated by the Commissioner of Insurance of the State of Mississippi to implement Miss. Code Ann. §§ 83-39-1 et seq. (Supp. 1994), and is being adopted pursuant to the authority granted the Commissioner of Insurance by Miss. Code Ann. §83-39-3 (3) (Supp. 1994), and in accordance with Miss. Code Ann. §25-43-1 (Rev. 1991), known as the Mississippi Administrative Procedures law and Regulation No. 88-101 known as Rules & Procedures before the Mississippi Insurance Department.

Source: Miss. Code Ann. §83-39-3 (Rev. 2011)

Rule 7.02: Purpose

The purpose of this regulation is to promulgate rules and regulations necessary for the enforcement of this chapter by establishing fines and penalties.

Source: Miss. Code Ann. §83-39-1, et seq. (Rev. 2011)

Rule 7.03: Applicability

This regulation shall apply to those terms defined in Miss. Code Ann. §83-39-1 (Supp. 1994).

- A. Any person, individual or corporation as defined in Miss. Code Ann. §83-39-1 (Supp. 1994), found in violation of Miss. Code Ann. §§83-39-3, 83-39-5, 83-39-13, 83-39-15, 83-39-25 (Supp. 1994) and or their subsections may be fined up to One Thousand Dollars (\$1,000.00) per violation and/or their license refused, suspended, revoked or the renewal thereof refused.
- B. Any person, individual or corporation as defined in Miss. Code Ann. §83-39-1 (Supp. 1994), found in violation of Miss. Code Ann. §83-39-7(Supp. 1994) by allowing Revocation Orders to be sent to the Mississippi Insurance Department may be fined as per the following schedule:
 1. First order up to \$500.00 fine.
 2. Second order within twelve (12) months of first order up to \$1,000.00 fine.
 3. Third order within twelve (12) months of the first order up to \$5000.00 fine and or up to six (6) month license suspension.
 4. Fourth order within twelve (12) months of first order, the permanent revocation of the professional bail agent's license and/or up to \$10,000.00 fine.

- C. Any violation not covered under B herein may carry a fine of up to One Thousand Dollars (1,000.00) per violation and/or license suspension.
- D. Any applicant not able to prove “Good Moral Character” required under Miss. Code Ann. §83-39-9 (Supp. 1994), may have his/her license denied, suspended, revoked or refused at renewal under of Miss. Code Ann. §83-39-5 (a) (Supp. 1994).
- E. Any “repeated” violation other than forfeitures on Revocation Orders within a twelve (12) month period may have the following penalty:
 - 1. Second offense within a twelve (12) month period up to \$5,000.00 per violation.
 - 2. Third offense within a twelve (12) month period up to \$5,000.00 and/or license suspension.
 - 3. Fourth offense within a twelve (12) month period up to \$5,000.00 and/or permanent revocation of license.

Source: Miss. Code Ann. §83-39-1, et seq. (Rev. 2011)

Rule 7.04: Severability

If any provision of this regulation or the application thereof to any person or circumstances is for any reason held to be invalid, the remainder of these rules and regulations and the application of such provision to other persons or circumstances shall not be affected thereby.

Source: Miss. Code Ann. §83-39-1, et seq. (Rev. 2011)

Rule 7.05: Effective Date

These rules and regulations shall become effective 30 days from and after its adoption and filing with the Secretary of State’s office.

Source: Miss. Code Ann. §25-43-3.113 (Rev. 2010)