

To: Iowa Legislative Services Agency
From: Iowa Department of Public Safety
Re: Bail Bond Regulation Pre-File Bill Request

November 27, 2023

Background (e.g. current law or status):

Currently, bail bond companies are not subject to any regulation in the state of Iowa. Companies are not only able to write bonds, but also take into custody individuals who violate the terms and conditions of the bond. Bail bond companies can be operated by individuals, such as felons, who would otherwise be prohibited from engaging in bond recovery work as a licensed bail “enforcement” agent.

Solution:

Distinguish the bail “enforcement” activity from the writing and issuing of bonds. Therefore, the act of engaging in fugitive recovery (i.e. taking someone into custody) would require a bail enforcement license regardless of whether it was being performed by a bail bond company or a bail enforcement agent.

Goal:

Implement regulatory framework for bail bond companies to follow, thus keeping Iowans safe by prohibiting certain persons from carrying out bail enforcement work.