



DEPARTMENT OF BUSINESS AND INDUSTRY
DIVISION OF INSURANCE

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Bulletin 19-002

February 22, 2019

Early Surrender of Defendant Form

Bail is regulated by the Division of Insurance ("Division") under chapter 697 of the Insurance Code, which is found under Nevada Revised Statutes ("NRS") title 57. This Bulletin provides guidance for the requirement in Nevada Administrative Code ("NAC") 697.550 pertaining to the filing of an Early Surrender of a Defendant Form, and is not a comprehensive review of all laws and regulations applicable to early surrenders.

A bail agent who posts a bond on behalf of a surety and who causes a defendant to be surrendered early must file with the Division a statement concerning the surrender, including the information required on the Early Surrender of Defendant Form (Form M-8C) within 10 calendar days of the surrender. NAC 697.550. Early surrenders are subject to certain requirements. For example, to surrender a defendant early, there must be a written authorization from the surety or written authority endorsed by the surety on a certified copy of the undertaking. NRS 178.526.1. Additionally, only a licensed bail enforcement agent employed or contracted by a surety or bail agent may locate, apprehend, and surrender a defendant. NRS 697.055, NRS 697.090.1.

Therefore, a copy of the surety's written authorization must be filed with the Form, along with a copy of the surrender form filed with the facility that took custody of the defendant, and any other information that supports the explanation for early surrender. Information about the bail enforcement agent who located, apprehended, and surrendered the defendant must be on the Form. Forms must be dated, legible, and complete. If the Division cannot read the writing, the Form will be rejected.

The Early Surrender of Defendant Form is available on the Division's website at http://doi.nv.gov/uploadedFiles/doinvgov/_public-documents/Bail/NDOI-717_Early_Surrender_of_Defendant.pdf. The Form is PDF fillable, which may be digitally signed and emailed to the Division. Follow the email instructions on the Form.

For more information about the regulation of bail, visit <http://doi.nv.gov/bail/>.

A handwritten signature in blue ink, appearing to read "Barbara D. Richardson".

BARBARA D. RICHARDSON
Commissioner of Insurance