

**STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY
DIVISION OF INSURANCE**

Issued: August 21, 2018

Bail Update

Topics Covered:

1. Bail Compliance Project
 2. Continuing Education
 3. Bulletins
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1. Bail Compliance Project

Thank you to all of you who attended the Bail Compliance Project events-- in Las Vegas and Reno. For licensees who were unable to attend the event, the Division is working on putting the event online.

As explained at the event, the Division will be conducting courtesy audits on all bail agents. The Division will review files and provide the bail agent with an audit report identifying areas of compliance and areas of violation. If violations are found, the Division will return for a follow-up audit in two months. During those two months, bail agents will have the opportunity to make corrections to their files and processes. If the Division has to return for a follow-up audit, any violations not corrected from the first audit, as well as any additional violations found, will be referred for administrative action. The Division has begun its courtesy audits of all bail agents. Bail agents who are associated with a bail agency will be covered under the agency's audit, unless they are operating their own agency.

2. Continuing Education

A bail licensee is responsible for completing continuing education before the license expires. Continuing education may be taken at any time during the three-year licensing period. A bail licensee should not wait until the last minute to take a course. The Division is not responsible for providing continuing education courses. This issue with continuing education will not resolve until the industry takes a proactive role to address the lack of course availability and attendance. Nevada law allows bail associations or surety companies to provide continuing education courses for bail licensees.

The Commissioner of Insurance is aware that, due to low enrollment, bail continuing education courses have been cancelled. As a result, if a bail licensee is (1) unable to take a bail continuing education course due to course cancellation and (2) no other bail course is available before the license expires, the Commissioner will allow, until December 31, 2018, the following specific ethics courses to satisfy the continuing education requirement:

- Ethics, Course No. 19843 by At Your Pace Online
- Ethics and the Producer, Course No. 22129 by OnCourse Learning Corporation
- Ethics for Insurance, Course No. 22131 by OnCourse Learning Corporation

These courses are available through Sircon's Compliance Express under Approved Courses Inquiry.

3. Bulletins

To date, three bulletins specifically address the business of bail:

- 18-002 Collateral in Connection with Bail Transaction
- 18-003 Collections & Charges Permitted in Connection with a Bail Transaction
- 18-004 Notice of Withdrawal of Bulletins

Note that bulletins that address provisions made applicable to bail through NRS 697.360 may also apply to bail licensees or the business of bail.

These bulletins, as well as other bail regulatory information, are available on the Division's website at http://doi.nv.gov/Bail/Bail_Regulatory_Information/. The Commissioner issues bulletins to communicate with licensees about important issues, interpretations, changes in law, Division processes, or to provide additional guidance.

All Division bulletins are posted on the Division's website at <http://doi.nv.gov/News-Notices/Bulletins/>. To be added to the Division's distribution list for all bulletins, email insinfo@doi.nv.gov.

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