

HOUSE No. 1173

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, April 2, 1928.

The committee on Bills in the Third Reading, to whom was referred the Bill changing the definition of professional bondsmen (House, No. 1089), report recommending that the same be amended by the substitution of the accompanying bill (House, No. 1173).

For the committee,

THOMAS R. BATEMAN.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Twenty-Eight.

An Act relative to Professional Bondsmen.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter two hundred and seventy-six
2 of the General Laws is hereby amended by striking out
3 section sixty-one B, as inserted by section two of
4 chapter four hundred and sixty-five of the acts of
5 nineteen hundred and twenty-two and as amended by
6 section one of chapter three hundred and forty of the
7 acts of nineteen hundred and twenty-six, and inserting
8 in place thereof the following:—

9 *Section 61B.* Any person proposing to become bail
10 or surety in a criminal case for hire or reward, either
11 received or to be received, and any person proposing
12 to become bail or surety in a case where the commis-
13 sion of a felony is charged after having become bail or
14 surety in criminal cases on four separate occasions in
15 any twelve months' period, shall be deemed to be a
16 professional bondsman and shall not be accepted as
17 bail or surety unless and until he shall have been ap-
18 proved and registered as a professional bondsman by
19 the superior court or by a justice thereof. Such
20 approval and registration may be revoked at any time
21 by such court or a justice thereof, and shall be revoked
22 in case such a bondsman fails for thirty days after

23 demand to satisfy in full a judgment recovered under
24 section seventy-four or a new judgment entered on
25 review under section seventy-six. The district at-
26 torney or prosecuting officer obtaining any such judg-
27 ment which is not satisfied in full as aforesaid shall,
28 forthwith upon the expiration of such period of thirty
29 days, notify in writing the chief justice of such court.
30 All professional bondsmen shall be governed by rules
31 which shall be established from time to time by the
32 superior court. Any unregistered person receiving
33 hire or reward for his services as bail or surety in any
34 criminal case, and any unregistered person becoming
35 bail or surety in a case where the commission of a
36 felony is charged after having become bail or surety in
37 criminal cases on four separate occasions in any twelve
38 months' period, and any person herein defined as a
39 professional bondsman violating any provision of the
40 rules established hereunder for such bondsmen, shall
41 be punished by a fine of not more than one thousand
42 dollars or by imprisonment for not more than one
43 year, or both. The provisions of this section shall not
44 apply to surety companies.

1 SECTION 2. Section sixty-one of said chapter two
2 hundred and seventy-six, as amended by section one
3 of said chapter four hundred and sixty-five and by
4 section three of said chapter three hundred and forty,
5 is hereby further amended by adding at the end
6 thereof the following: — , the date on which each bail
7 or surety was accepted as aforesaid, the name of the
8 defendant, the court or trial justice before which or
9 whom the defendant is required to appear and whether
10 the defendant is charged with a felony or a mis-
11 demeanor, — so that the paragraph added by said

12 section three of said chapter three hundred and forty
13 will read as follows: — On the second Monday of each
14 calendar month, every person taking bail out of court
15 shall transmit to the chief justice of the superior court
16 a written statement setting forth the names and
17 addresses of all persons accepted by him as bail or
18 surety in criminal cases during the preceding calendar
19 month, the date on which each bail or surety was ac-
20 cepted as aforesaid, the name of the defendant, the
21 court or trial justice before which or whom the de-
22 fendant is required to appear and whether the defend-
23 ant is charged with a felony or a misdemeanor.