

# Minutes

## Bail Bond Advisory Committee Meeting

March 3, 2011

11:30 – 1:30

Division of Insurance

1560 Broadway Ste 850 Room B

Denver Co 80202

<b>Members Present:</b>	Lieutenant Patrick McCosh, Law Enforcement Glen Younger, Cash Bail Agent Mark Spensieri, Professional Cash Agent Dave Hyatt, Surety Company Representative Richard Gonzales, Surety Bail Agent Dave Hyatt, Surety Company Representative
<b>Members Absent</b>	Steven J. Titus, Surety Bail Agent
<b>Members – Vacant</b>	Surety Bail Agent
<b>Division of Insurance Staff and Department of Regulatory Agencies Staff:</b>	John Postolowski, Interim Commissioner of Insurance Paula Sisneros, Director of Compliance and Investigations Beth Ham, Senior Investigator Lauren Keast – Compliance and Investigation Unit Assistant Bryan Jameson, Policy Analyst
<b>Office of the Attorney General</b>	Judy LaBuda, Assistant Attorney General Michael Conway, Assistant Attorney General
<b>Public Attendees:</b>	Kelli Neuman, Crystal Keim, Steven Mares, John Clarke, Mike Gray, Alison Barrett, Sharon Winfrie

### Agenda topics

<b>1.</b>	<b>Call to Order</b>	Director Sisneros
Discussion:		
<ul style="list-style-type: none"><li>• Meeting was called to order.</li><li>• Members introduced themselves.</li><li>• Public attendees introduced themselves.</li><li>• John Postolowski, Interim Commissioner of Insurance, addressed the Committee.</li></ul>		
Conclusions:		
Action items: None	Person responsible:	Deadline:

<b>2.</b>	<b>Attendance Requirements</b>	Director Paula Sisneros
	<ul style="list-style-type: none"> <li>• <b>Review Attendance Requirements</b></li> <li>• <b>Vacant Surety Position</b></li> </ul>	
Discussion:		
<ul style="list-style-type: none"> <li>• Members were notified that if they are unable to attend a committee meeting and wish to call in, they must contact the Division of Insurance at least a week prior to the meeting.</li> <li>• Director Sisneros reminded members of the attendance requirements and requested attendance requirements be reviewed at the next Committee meeting to address the lack of attendance by member Steven Titus at the last two meetings.</li> <li>• Members were notified that the Commissioner will review the applications and may fill the vacant surety position in the next 2 weeks.</li> </ul>		
Conclusions: Attendance requirements to be reviewed at next meeting.		
Action items: Add to agenda		
	Person responsible: Beth Ham	Deadline: April 21, 2011

<b>3.</b>	<b>Approval of the Minutes of October 21, 2010</b>	Committee Members
Discussion:		
<ul style="list-style-type: none"> <li>• Minutes were approved by all committee members present.</li> <li>• Minutes will be posted to the Division of Insurance website.</li> </ul>		
Conclusions:		
Action items: Post minutes to website		
	Person responsible: Beth Ham	Deadline: None

<b>4.</b>	<b>Committee Duties and Requirements</b>	Committee Members
	<ul style="list-style-type: none"> <li>• <b>Meeting structure</b></li> <li>• <b>Selection of Committee officers</b></li> <li>• <b>Direction of Committee</b></li> <li>• <b>Best practices of the industry</b></li> </ul>	
Discussion:		
<ul style="list-style-type: none"> <li>• Meeting structure and Selection of Committee Officers were tabled until next meeting and requested attendance of all members at next meeting. The Division requested leadership structure for the Committee.</li> <li>• Committee members stated that no subcommittees had been established and no meetings had been held regarding changes to Division Regulation 1-2-14. Changes to Regulation 1-2-14 related to the promissory note requirements to be added to next meeting agenda.</li> </ul>		

- Committee Members related that Seneca Insurance Company had presented a 2 day training compliance class.

Conclusions: Revisit committee duties and requirements at April 21, 2011 meeting.

Action items: Add to agenda

Person responsible:  
Beth Ham  
Committee Members

Deadline:  
April 21,  
2011

**5. Committee Discussions - Standards and Industry Practices** Committee Members

- **Update - court training regarding forfeiture process– Dave Hyatt**

Discussion:

- Dave Hyatt related that court training was scheduled and the first training will be presented to Adams County Court on March 8, 2011. Training to Douglas County Court and El Paso County Court to follow.
- Committee discussed suggested changes to Regulation 1-2-13 and 1-2-14, including instructions and clarification.

Conclusions: Review Regulation 1-2-13 and 1-2-14 at April 21, 2011 meeting.

Action items: Add to agenda

Person responsible:  
Beth Ham

Deadline:  
April 21,  
2011

**6. Committee Members Agenda Items** Committee Members

- **Immigration issue - Discuss premium forfeiture payment to the court set forth in § 16-3-503(1)(c), C.R.S. Discuss Division of Insurance position**

Discussions:

- Committee discussed HB 1088.
- Committee discussed immigration issue: premium forfeiture payment to the court being passed on to the consumer. The Division of Insurance restated their position that it does not appear that the cost can be passed on to the consumer. The Division will provide draft Bulletin at next meeting regarding the Division's position..

Conclusions: Revisit Immigration issue at April 21, 2011 meeting.

Action items: Add to agenda

Person responsible:  
Beth Ham

Deadline:  
April 21,  
2011

<b>7.</b>	<b>New Business</b>	Director Paula Sisneros	
<ul style="list-style-type: none"> <li><b>Subcommittee suggested amendments to Regulation 1-2-14 related to Promissory Notes</b></li> </ul>			
Discussions:			
<ul style="list-style-type: none"> <li>Committee has not met and had no amendments to Division Regulation 1-2-14 to present.</li> <li>Bryan Jameson, DORA/OPRR addressed the Committee regarding the sunset review process, the research and timelines. He requested that all bail bonding agents ensure their email addresses were updated with the Division as he is having trouble contacting agents. He also requested that agents contact him directly with any suggestions and comments.</li> <li>Director Sisneros related suggested changes for Sunset Review: Change license expiration date - from January 1 to the agent's month of birth. Change due date for annual report - from November 1 to February 1.</li> <li>Glen Younger related that he appreciated the efforts of the Division to ensure license renewals were processed timely.</li> </ul>			
Conclusions: If Committee Members meet as a subgroup, they will present recommendation at April 2011 meeting.			
Action items: Committee Members may meet and provide suggested amendments regarding promissory notes to Division Regulation 1-2-14 at April 21, 2011 meeting.		Person responsible: Committee Members	Deadline: April 21, 2011

<b>8.</b>	<b>Agenda Items for Next Meeting</b>	Committee Members and Director of Compliance and Investigations	
Discussion:			
<ul style="list-style-type: none"> <li>The following agenda items will be added to April 21, 2011 agenda: Bail Bond Advisory Committee meeting structure, selection of members as Committee officers and creation of bylaws. Committee duties and requirements. Attendance requirements Immigration issue – Division of Insurance to present draft Bulletin Committee presentation of suggested changes to Division Regulation 1-2-14 related to promissory note requirements Committee review of Division Regulation 1-2-13 and 1-2-14. Review 2011 Final Agency Actions and related Notice of Charges related to bail bond enforcement actions.</li> </ul>			

Conclusions: Agenda items to be added to April 21, 2011 agenda		
Action items: Add proposed agenda items to April 21, 2011 Agenda	Person responsible: Beth Ham	Deadline: April 21, 2011

<b>9.</b>	<b>Public Portion of Meeting is Adjourned Complaint review and Discussion</b>	Committee Members
Discussion: Discussion was held by Committee		
Conclusions:		
Action items: None	Person responsible:	Deadline: