

# VIRGINIA ACTS OF ASSEMBLY -- 2008 SESSION

## CHAPTER 438

*An Act to amend and reenact § 9.1-185.4 of the Code of Virginia, relating to the Department of Criminal Justice Services; bail bondsmen; limitation on licensure.*

[H 866]

Approved March 7, 2008

**Be it enacted by the General Assembly of Virginia:**

**1. That § 9.1-185.4 of the Code of Virginia is amended and reenacted as follows:**

§ 9.1-185.4. Limitations on licensure.

A. In order to be licensed as a bail bondsman a person shall (i) be 18 years of age or older, (ii) have received a high school diploma or GED, and (iii) have successfully completed the bail bondsman exam required by the Board or successfully completed prior to July 1, 2005, a surety bail bondsman exam required by the State Corporation Commission under former § 38.2-1865.7.

B. The following persons are not eligible for licensure as bail bondsmen and may not be employed nor serve as the agent of a bail bondsman:

1. Persons who have been convicted of a felony within the Commonwealth, any other state, or the United States, who have not been pardoned, or whose civil rights have not been restored;

2. Employees of a local or regional jail;

3. Employees of a sheriff's office;

4. Employees of a state or local police department;

5. Persons appointed as conservators of the peace pursuant to Article 4.1 (§ 9.1-150.1 et seq.) of this chapter;

6. Employees of an office of an attorney for the Commonwealth;

7. Employees of the Department of Corrections, Department of Criminal Justice Services, or a local pretrial or community-based probation services agency; and

8. Spouses of or any persons residing in the same household as persons referred to in subdivisions 2 through 7 ~~of this section~~ *who are sworn officers or whose responsibilities involve direct access to records of inmates.*

C. The exclusions in subsection B shall not be construed to limit the ability of a licensed bail bondsman to employ or contract with a licensed bail enforcement agent authorized to do business in the Commonwealth.