

WHEREAS, It is necessary and proper for the Insurance Commissioner to determine the factual predicate for any new or additional regulations; and

WHEREAS, The bonding industry impacts upon a large segment of the population as well as a number of governmental agencies, including the judiciary; and

WHEREAS, A proper study of additional or new regulations would include the information and advice of the public, various governmental agencies, the judiciary, and the bail bonding industry; and

WHEREAS, The promulgation of new or additional rules and regulations would be facilitated by the establishment of a study commission composed of members of the public, bonding industry, various governmental agencies, and the judiciary; and

WHEREAS, The entire study would be designated not only to evaluate whether to promulgate new or additional rules or regulations and, if so, what specific new or additional rules and regulations to promulgate, but would be targeted for the protection and the improvement of the positive aspects of the bonding system and the bail bond process including:

(1) The preservation and protection of the individual right to bail and the speedy access to criminal justice without reasonable incarceration;

(2) The recognition that the present system places little or no burden on the taxpayers of the State; and

(3) The present system allows the capture of fugitives by the bondsmen at little or no expense to the citizenry; now, therefore, be it

RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Insurance Commissioner is requested to conduct a comprehensive review of the bail bonding and surety industry in this State with the objective of evaluating whether or not new or extensive regulations of the bail bonding industry is necessary; and be it further

RESOLVED, That the Insurance Commissioner is urged to appoint a committee to study the bail bonding industry. The committee should be comprised of seven members: one trial judge to be selected by the Maryland Judicial Conference; one private member to be selected by the President of the Senate of Maryland; one private member to be selected by the Speaker of the House of Delegates; two persons selected by the Independent Bail Bond Association of Maryland, and two persons to be selected by the Insurance Commissioner; and be it further