



**THE ATTORNEY GENERAL  
OF TEXAS**

September 28, 1987

**JIM MATTOX  
ATTORNEY GENERAL**

Honorable Benjamin Euresti, Jr.  
Cameron County Attorney  
Courthouse - 974 E. Harrison Street  
Brownsville, Texas 78520

Opinion No. JM-799

Re: Whether the Cameron County  
Bail Bond Board is authorized  
to set a limit on the value  
amount of bonds which a corp-  
orate surety may provide

Dear Mr. Euresti:

You ask:

Does the Cameron County Bail Bond Board have  
the authority to set a limit on the value amount  
of bonds that the corporate surety can make?

You provide the following factual background:

The Cameron County Bail Bond Board pursuant to  
Vernon's Civil Statutes Art. 2372p-3 oversees the  
licensing and regulating of bail bondsmen in said  
county. Under Section 7(a) a corporation  
certified to do business by the State Board of  
Insurance has applied for a license. Said corpor-  
ation has met all necessary legal requirements to  
qualify for a license.

Section 6(g) article 2372p-3, V.T.C.S., provides:

No bondsman may execute, in any county, bail  
bonds that in the aggregate exceed 10 times the  
value of the property held as security on deposit  
or in trust under Subsection (f) of this section.  
A county officer or employee designated by the  
board shall maintain a current total of the  
bondsman's potential liability on bonds in force,  
and no further bonds may be written by or accepted  
from the bondsman when the limit is reached. When  
a bondsman's total liability on judgments nisi  
reaches two times the same amount as he has on  
deposit as security, no further bonds may be

written until the bondsman posts additional security as required in this subsection. A bondsman whose license is effective may, at any time, by posting additional security, increase the bondsman's limit.

Section 7, article 2372p-3 states:

(a) Wherever in this Act any person is required or authorized to give or execute any bail bond, such bail bond may be given or executed by such principal and any corporation authorized by law to act as surety. When any such corporation authorized by law to act as a surety undertakes to be a surety on a bail bond, such corporation, before being acceptable as a surety on a bail bond, shall be required to meet the applicable requirements prescribed by Section 6 of this Act before being acceptable as a personal surety on a bail bond; Subsection (g) of Section 6 does not apply to a corporate surety.

(b) The certificate of authority to do business in this state issued to a corporation by the State Board of Insurance pursuant to Article 8.20, Insurance Code, as amended, shall be conclusive evidence as to the sufficiency of the security, the corporation's solvency, or its credits. (Emphasis added.)

Section 7(a), article 2372p-3, expressly provides that subsection (g) of section 6 does not apply to a corporate surety. Section 7(b) further provides that the certificate of authority issued to a corporation by the State Board of Insurance is conclusive evidence as to the sufficiency of the security, the corporation's solvency, or its credits.

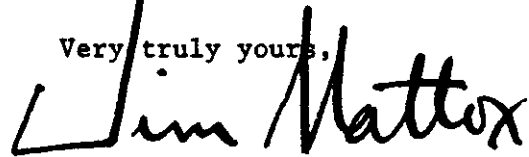
Accordingly, the Cameron County Bail Bond Board is not authorized to set a limit on the value amount of bonds which a corporate surety may provide where the corporation has been issued a certificate of authority to do business in this state by the State Board of Insurance pursuant to article 8.20, Insurance Code and has met the requirements of section 6, article 2372p-3, V.T.C.S.

#### S U M M A R Y

The Cameron County Bail Bond Board is not authorized to set a limit on the value amount of bonds which a corporate surety may provide where

the corporation has been issued a certificate of authority to do business in this state by the State Board of Insurance pursuant to article 8.20, Insurance Code and has met the requirements of section 6, article 2372p-3, V.T.C.S.

Very truly yours,

A handwritten signature in black ink that reads "Jim Mattox". The signature is written in a cursive style with a large, prominent "J" and "M".

J I M M A T T O X  
Attorney General of Texas

MARY KELLER  
Executive Assistant Attorney General

JUDGE ZOLLIE STEAKLEY  
Special Assistant Attorney General

RICK GILPIN  
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