

SESSION OF 2025

SUPPLEMENTAL NOTE ON SENATE BILL NO. 244

As Recommended by Senate Committee on
Judiciary

Brief*

SB 244 would prohibit a compensated surety from making loans for the purpose of financing the minimum appearance bond premium required to be paid before posting a bond.

Under continuing law, a compensated surety must charge a minimum appearance bond premium of 10 percent of the face amount of the bond, and only post a bond after the compensated surety has received at least 5 percent of such premium. The bill would specify that a compensated surety could not provide a loan for this 5 percent minimum, but would instead require any loan obtained for this purpose to be obtained from a properly licensed financial institution not affiliated in any way with such compensated surety.

[*Note:* The Kansas Code of Criminal Procedure defines “compensated surety” as any person or entity that issues appearance bonds for compensation, posts bail for four or more persons in a calendar year, is responsible for any forfeiture, and is liable for appearance bonds written by such person’s or entity’s authorized agents. A compensated surety is either an insurance agent surety, a property surety, or a bail agent.]

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <https://klrd.gov/>

Background

The bill was introduced by the Senate Committee on Judiciary at the request of Senator Owens.

Senate Committee on Judiciary

In the Senate Committee hearing, **proponent** testimony was provided by Senator Owens and a representative of the Kansas Bail Agents Association. The proponents stated the purpose of this bill is to ensure bonding companies comply with the intent of legislation requiring minimum payments on bond premiums enacted in 2024. Written-only proponent testimony was provided by a representative of the Kansas Sheriffs Association.

No other testimony was provided.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, the Office of Judicial Administration indicates enactment of the bill would have a minimal fiscal effect that could be absorbed within existing resources.

The Department of Insurance indicates enactment of the bill would not have a fiscal effect on the agency.

Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2026 Governor's Budget Report*.

Appearance bond; compensated surety; bond premium