

SESSION OF 2025

SUPPLEMENTAL NOTE ON SENATE BILL NO. 244

As Amended by Senate Committee of the Whole

Brief*

SB 244, as amended, 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, nor be affiliated with any financial institution providing such loan, for this 5 percent minimum.

[*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 an insurance agent surety, a property surety, or a bail agent.]

Background

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

*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/>

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.

Senate Committee of the Whole

The Senate Committee of the Whole amended the bill to remove a requirement that any loan obtained for payment of a bond premium be obtained from a financial institution.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, 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