



Kansas Sheriffs' Association

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Testimony to Senate Committee on Judiciary Proponent Testimony on HB 2755

March 20, 2024

Chair Warren and Committee Members,

This testimony is presented on behalf of the Kansas Sheriffs Association. We recognize the bonding companies are a part of the criminal justice system and in most cases very good partners. However, this bill addresses concerns festering for several years in relation to property bondsmen. Insurance related bondsmen have checks and balances along with oversight of the Insurance Commission built into statute that regulate how they can conduct business. Property bondsmen do not have the same oversight. This bill creates some balance between the operation of those two different realms of surety bonding.

On page 5, line 1-3 states: "A compensated surety may enter into a premium financing agreement for any appearance bond premium amount that exceeds 10% of the face amount of the appearance bond." In essence this provision is setting a 10% minimum standard for bonding. Sedgwick County has reported bonds posted on individuals charged with murder for 1% payment with an additional 1% being financed. That means on a \$500,000 bond the defendant only had to post \$5000 and be able to finance that amount.

This discounted bond fee is a source of concern for victims and the families of victims of violent crime when the offender is quickly released with very little personal commitment toward the bond. Our association completely understands the constitutionality of bonding and we believe the minimum of 10% as proposed in this bill is good policy from a victim trauma and feeling of safety point of view, and from a public safety standpoint. We believe this is especially important for bonds set related to violent or person felonies.

In reference to E-Bonding, the Sedgwick County Sheriff's Office tells us they were preparing to allow E-Bonding. However, due to issues they were having with some bonding companies, it became clear there is a lack of control over E-bonding operations, allowing easy manipulation of the system. For example, there is no guarantee the person arranging the E-bond is actually a licensed bondsman. They could be using a third party and there would be no way to detect it. It could easily be a person who is just working the E-bond system using non-licensed bond agents monitoring the book-ins, arranging for the bonds, without any interaction with the licensed bond agent. Likewise, there is not way to assure the person is even within the state or has any connection with the community involved. All this could be done with the person actually making the bond arrangements just using the license number of the licensed bond agent.

The Kansas Sheriffs Association fully supports this bill.

Thank you for your consideration.

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