

**ELLIS COUNTY BAIL BOND LICENSE APPLICATION
FOR A CORPORATION**

****Note: You Must Submit One Original And Twelve (12) Copies To The Board Office With \$500.00, Two Passport Size Photographs Of Applicant, And Applicant's Fingerprints****

Date of Application _____ New Application Renewal Application
If renewal, please list license number and expiration date _____
Name of Applicant _____
Business Name _____
Applicant's Mailing Address _____
Phone Number _____
E-mail Address _____ Fax _____
Physical Address where business is conducted within County _____

(Tex. Occ. Code Ann. ~ 1704.213 (Vernon 2001))

*****FOR BACKGROUND CHECK ONLY*****

Name, address and background information of the agent designated by the corporation in this county.

Name _____
Mailing Address _____
Phone Number _____ Sex _____ DOB _____ SSN _____
Drivers license number _____
Home Address _____
Name and address for Agent for service of process
Name _____
Address for service _____
Phone Number _____
Fax Number _____

The following are names of all employees and agents actively engaged with the applicant in processing the giving or making of bail bonds within the county

- Applicant further attaches hereto the personal information sheet (*Exhibit "A"*) for the applicant and each employee and agent. The applicant agrees that he will file with the Ellis County Bail Bond Board additional personal information sheets on all employees and agents subsequently employed.
Such information shall be filed within thirty (30) days of each such employment.

Applicant agrees that all licensed sureties or agents who execute bonds on his/her behalf, are required to have on file a current signature card on the form provided by the Board before they will be permitted to execute bonds, as directed by the Board.

Are you a corporation? Yes _____ No _____

If yes, please answer the following

- 1) Are you a Texas Corporation licensed to do business in Texas?
Yes _____ No _____
 - 2) If not a Texas Corporation, what is the state of your incorporation? _____
 - 3) Are you qualified to write fidelity, guaranty and surety bonds under the Texas Insurance Code as amended? Yes _____ No _____
Tex. Occ. Code Ann. § 1704.211 and §1704.154(b)(2) (Vernon 2001).
 - 4) Attach a certified copy of your franchise tax permit and certificate of authority to do business.
 - 5) Any corporation which acts a surety shall, before executing any bail bond, first file in the office of the County Clerk, a Power of Attorney designating and authorizing the named agent of such corporation to execute such bail bonds by such agent. This Power of Attorney shall be a valid and binding obligation of the corporation. A separate license is required for each agent operating under a corporate Power of Attorney.
Tex. Occ. Code Ann. § 1704.160 (a)(2) (Vernon 2001).
 - 6) The collateral supplied by the surety shall be used to pay the final judgment of any bond forfeitures that result from the licensee's execution of a bail bond.
 - 7) The amount of cash value of any certificates of deposit or cashier's check you, as the applicant, intend to place on deposit with the Ellis County Treasurer is _____.
- Certificates of Deposit or Cashier's Checks:
- | | |
|-------------------|--------------|
| I.D. Number _____ | Amount _____ |
| I.D. Number _____ | Amount _____ |
| I.D. Number _____ | Amount _____ |

[Certificates of Deposit or Cashier's Check should read: "Corporation's name and/or Ellis County Treasurer"]

If the license is approved and collateral is being provided, deliver the cashier's check, certificate of deposit, Deeds of Trust, or cash to the Ellis County Treasurer's Office within 30 days following the Board's tentative approval of the license.
Tex. Occ. Code Ann. § 1704.155 (Vernon 2001).

Have you or your agent ever been convicted or granted probation for any criminal offense?
(Traffic convictions in Justice or Municipal Courts need not be listed)

Tex. Occ. Code Ann. § 1704.153 and § 1704.252 (Vernon 2001).

Yes _____ No _____

If yes, list the name of the offense, the court, the date, and disposition.

Are you involved in any civil litigation at this time (including bail bond litigation)?

Yes _____ No _____

If yes, give the date of filing each suit, names of the parties and court in which pending and brief description of the nature of litigation.

Is the applicant currently in the bail bond business? Yes _____ No _____

If yes, list name of bail bond company (companies) and all counties with which you are currently associated.

Tex. Occ. Code Ann. § 1704.152 (Vernon 2001).

Has the applicant been previously engaged in the bail bond business?

Yes _____ No _____

If yes, list the name of the company (companies) previously associated with

- If applicant or agent designated by the corporation has been licensed under Tex. Occ. Code Ann. § 1704 (Vernon 2001). in another county, the application shall be accompanied by a sworn statement from the agent designated by the corporation that he/she has **no** unpaid final judgments. *Exhibit "B"*.

Tex Occ.Code Ann. § 1704.152 (Vernon 2001).

Has applicant been denied or refused a license to act as a bondsman?

(This includes revocation or suspension of a license.) Yes _____ No _____

If yes, where and when did such action occur.

Has agent designated by the corporation been denied or refused a license to act as a bondsman?

(This includes revocation or suspension of a license.) Yes _____ No _____

If yes, where and when did such action occur.

- Applicant shall submit a fee a \$500.00 made payable to the Ellis County Treasurer for the filing of any original or renewal application, and a copy of the receipt submitted with this application. Applications without a receipt from the Ellis County Treasurer will not be processed.
Tex. Occ. Code Ann. § 1704.154 (b)(D) (Vernon 2001).
- Applicant shall submit Exhibit (“C”) acknowledging the proper apprenticeship and continuing legal education.
Tex. Occ. Code Ann. § 1704.152 (Vernon 2001).
- Applicant’s agent shall submit two recent passport size photographs and fingerprints of the applicant’s agent taken by the Sheriffs Office, along with this application.
Tex. Occ. Code Ann. § 1704.1 54(b)(4)(E) and (F) (Vernon 2001).
- Applicant shall attach letters of recommendation from three (3) reputable persons who have known the applicant’s agent for a period of at least (3) years, recommending the applicant’s agent “has a reputation of honesty, truthfulness, fair dealing and competency,” and recommending the Board grant approval of the license to the applicant.
Tex. Occ. Code Ann. § 1704.154(c) (Vernon 2001).
- Applicant declares that it and all employees including the agent designated by the corporation, have read and will comply with Tex. Occ. Code Ann. § 1704 (Vernon-200 1), Tex. Code Crim. Proc. Ann.§17 and §22 (Vernon 2001), and the rules prescribed by the Board.
- Applicant shall submit to the Board a valid assumed name certificate or certified copy thereof, properly filed with the County Clerk of Ellis County indicating the name in which the applicant will conduct business in Ellis County.
Tex. Occ. Code Ann. § 1704.154 (Vernon 2001).

Applicant agrees and consents that in the event this application is found to contain any false statements, omission of material information or misrepresentation of any kind, this application may be disapproved, suspended or revoked.

Tex. Occ. Code Ann. § 1704.252 (Vernon 2001).

Applicant agrees that no licensee may use a telephone number, address or office of a non-licensee to conduct any bail bond activities and will not advertise or solicit under an unlicensed name, telephone number, address, or logo.

Tex. Occ. Code Ann. § 1704.109 & 1704.303 (Vernon 2001).

The Applicant understands that such advertisement or solicitation may result in the suspension or revocation of its license.

Tex. Occ. Code Ann. § 1704.109 & 1704.303 (Vernon 2001).

APPLICANT

The State of Texas

County of _____

Before me, the undersigned authority, a Notary Public in and for The State of Texas, on this day personally appeared _____, who, after being by me duly sworn, on oath deposes and says:

My name is _____. I am capable of making this affidavit and competent to testify to matters stated hereby; I am personally acquainted with the facts stated in this application and know such facts to be true and correct. I further swear all facts and information are true and correct.

APPLICANT

Given under my Hand and Seal of Office, this the _____ day of _____, 20 ____.

SEAL

Notary public in and for the State of Texas

CERTIFICATE OF AUTHORITY

We, _____, Senior Vice President and Chief Operating Officer of _____, and _____, Secretary of _____ an insurance corporation, do hereby certify that said corporation is duly organized and existing under the laws of the State of Texas; that all franchise and other taxes required to maintain its corporate existence have been paid when due and that no such taxes are delinquent; that no proceedings are pending for the forfeiture of its Certificate of Incorporation or for its dissolution, voluntarily or involuntarily; that it is duly qualified to do business in the State of Texas and is in good standing in such State; that there is no provision of the Articles of Incorporation or Bylaws of said corporation limiting the power of the Board of Directors to pass the resolution set out below and that the same is in conformity with the provisions of said Articles of Incorporation and Bylaws; that the Secretary is the keeper of the records and Minutes of proceedings of the Board of Directors of said corporation and that on the _____ day of _____, 20____, there was held a regular meeting of the Board of Directors of said corporation, which was duly called and held in accordance with the law and the Bylaws of the corporation, all of the Directors having been given notice or having waived notice and a quorum being present; and that at said meeting the Directors found that it was in the best interest of the corporation that the following resolutions be adopted and they were duly and legally passed and adopted and that the same has not been altered, amended, rescinded or repealed and is now in full force and effect:

BE IT RESOLVED, that the President, Vice-President, or any officer of _____ for the purpose of setting up _____ to obtain a bail bond license in Ellis County, Texas, be and is hereby empowered to deposit the sum of \$ _____ with _____, and therewith purchase a time deposit for said sum in the name of the Ellis County Texas, Treasurer, assign said deposit to the Ellis County Treasurer, and appoint the Ellis County Treasurer as attorney-in-fact with full power and authority to execute any endorsements necessary to cash, transfer, and/or negotiate said deposit.

BE IT FURTHER RESOLVED, that the President, Vice-President, or any Executive officer of _____, be and is empowered to endorse said time deposit to the Ellis County Treasurer, execute all such instruments or documents including but not limited to (1) an Ellis County Bail Bond License Application for a Corporation, (2) a Certificate of No Outstanding Final Judgments, (3) a "Power of Attorney" naming _____ d/b/a _____ as its true and lawful attorney-in-fact with full power and authority to act for and on behalf of the corporation, (4) an AFFIDAVIT certifying to the deposit of \$ _____, (5) an ASSIGNMENT OF SECURITY FOR BAIL BOND LICENSE, (6) an ACKNOWLEDGMENT OF ASSIGNMENT OF ASSIGNOR AND APPOINTMENT OF ATTORNEY-IN-FACT, and any other documents or instruments as may be necessary to accomplish the foregoing purpose.

We further certify that the following persons are executive officers of _____, and are authorized to act and sign to carry out the foregoing resolution:

_____ – Senior Vice-President and Chief Operating Officer
_____ – Secretary
_____ – _____

IN WITNESS WHEREOF, we have hereunto set out hands as Senior Vice President and Chief Operating Officer and as Secretary, respectively, of said corporation and have attached here the official seal of said corporation, this _____ day of _____, 20__.

Senior Vice President and
Chief Operating Officer

Secretary

STATE OF TEXAS
COUNTY OF _____

§
§

This instrument was acknowledged before me on this _____ day of _____, 20__, by _____, Senior Vice President and Chief Operating Officer of _____, on behalf of said corporation.

Notary Public in and for the State of Texas

STATE OF TEXAS
COUNTY OF _____

§
§

This instrument was acknowledged before me on this _____ day of _____, 20__, by _____, Secretary of _____, on behalf of said corporation.

Notary Public in and for the State of Texas

ASSIGNMENT OF SECURITY FOR BAIL BOND LICENSE

LICENSEE NAME: _____

AGENT: _____

D/B/A: _____

LICENSE NUMBER: _____

CERTIFICATE OF DEPOSIT NO.: _____

PAYABLE TO: ELLIS COUNTY TREASURER

AMOUNT: _____

DATE: _____

ISSUING BANK: _____

I, _____, as representative of _____,
(Purchaser/Assignor), and by authority of the attached Certificate of Authority, hereby assign, without recourse,
the above-described Certificate Of Deposit to the Treasurer of Ellis County, Texas.

ASSIGNOR

**ACKNOWLEDGMENT OF ASSIGNMENT BY ASSIGNOR AND
APPOINTMENT OF ATTORNEY-IN-FACT**

In order to obtain a Bail Bond License in Ellis County Texas and for the purpose of providing security for Bail Bonds written in Ellis County, Texas, which may accrue or be authorized under the law, the ASSIGNOR specified above, for and on behalf of the Bail Bond License in the name of the Owner specified, assigns and sets over irrevocably to the Ellis County Treasurer any and all right, title, claim and interest of whatever nature of ASSIGNOR in and to the SECURITY described above. The Ellis County Treasurer has no interest or entitlement to any interest or dividends arising from this agreement. All the interest or dividends should be made payable to purchaser/assignor. SECURITY for the purpose of this instrument means the principal, not the interest or dividends.

ASSIGNOR agrees that this assignment carries with it the right to any insurance on the SECURITY that may now or in the future exist and includes and gives to the Ellis County Treasurer the exclusive right to negotiate, redeem, collect and withdraw at any time any part or the full amount of the SECURITY to be applied as a payment to the final judgement of any forfeitures of bail bonds written in Ellis County, Texas. (The right of the Ellis County Treasurer to apply the SECURITY shall not be effected by a subsequent change in the trade name or business location of the person or entity on whose behalf this assignment is executed.) The Assignor further agrees that the Ellis County Treasurer may, in its own discretion and at any time, transfer all or any part of the security into its own name without notice to the Obligor to satisfy any unpaid final judgement(s), or portion thereof, of any forfeiture of bail bonds written in Ellis County, Texas. The Ellis County Treasurer is hereby appointed as attorney-in-fact for the Assignor with full power and authority to execute any endorsements necessary to complete such a transfer and negotiation.

ASSIGNOR understands and agrees that by this assignment, all right, title and claim to interest in, use of and control over the disposition of the SECURITY is relinquished and that such SECURITY is to be held by the financial institution identified for the sole use and subject to the exclusive control of the Ellis County Treasurer. This SECURITY may be released only by the Ellis County Treasurer's written direction.

This is notification by the ASSIGNOR to the financial institution of the terms of this assignment.

ASSIGNOR

ACKNOWLEDGMENT BY FINANCIAL INSTITUTION

The FINANCIAL INSTITUTION acknowledges the assignment of this SECURITY to the Ellis County Treasurer. We acknowledge the Ellis County Treasurer has no interest or entitlement to any interest or dividends arising from this agreement and that SECURITY means principal, not the interest or dividends. We certify that we have recorded the assignment and have retained a copy. We certify that we do not have, nor do we have knowledge of anyone else having any lien, encumbrance, right, hold, claim to or obligation of the SECURITY. We accept the SECURITY with knowledge that it has been irrevocably posted for and on behalf of the Bail Bond License identified above and we agree to act as the sole agent for the purpose of holding this security for the Ellis County Treasurer's exclusive use. We agree not to release, make payment, or otherwise divert or dispose of the SECURITY except in accordance with the written instructions of the Ellis County Treasurer. It is understood that notice to or consent of the ASSIGNOR to disposition of the SECURITY by the Ellis County Treasurer shall **NOT** be required. We further agree not to exercise any set of rights we may have with respect to this SECURITY, or to otherwise impede, hinder, delay, prevent, obstruct or interfere with the Ellis County Treasurer's right to negotiate, redeem, collect and withdraw this SECURITY upon demand.

Name of Licensee	Name of Bank
Name of Agent	Physical Address of Bank
D/B/A	City, State and Zip Code
License No.	Phone Number with Area Code
Certificate of Deposit No.	Signature of Bank Officer
Amount of Certificate of Deposit	Printed Name of Bank Officer
Date	Title
State of _____)	
County of _____)	

BEFORE ME the undersigned authority appeared _____, a duly
(Officer)
authorized officer of _____, and acknowledged to me that
(Bank)
the execution of the above and foregoing "ACKNOWLEDGMENT BY FINANCIAL INSTITUTION" was
duly authorized and was executed as an act of and for an on behalf of _____.
(Bank)

Notary Public State of _____

ACKNOWLEDGMENT BY HOLDER OF SECURITY

The Ellis County Treasurer acknowledges receipt of the assignment of the SECURITY for the Bail Bond License identified above. The FINANCIAL INSTITUTION is authorized and directed to pay any earnings on the SECURITY to the ASSIGNOR until otherwise notified by mail by the Ellis County Treasurer.

ELLIS COUNTY TREASURER
By: _____

Date: _____

EXHIBIT "A"

BAIL BOND I.D. APPLICATION
ELLIS COUNTY

DATE: _____

EMPLOYER: _____

NAME: _____ RACE: _____ SEX: _____
Last, First, Middle, Maiden

TELEPHONE:

Home _____ Work _____

By what other names have you been known (nicknames, alias * refer to next question)

Have you legally changed your name? _____ If yes, date: _____

Place: _____ Court: _____

Date of Birth: _____ Age: _____ Social Security Number: _____

Place of Birth: City _____ County _____ State _____

Height: _____ Weight: _____

Current Drivers License: _____ State _____ Expiration date: _____

Naturalized: No _____ Yes _____ If Yes,

Where _____

Are You: Single _____ Married _____ Divorced _____

Full Name of Spouse: _____
Last, First, Middle Maiden

Date of Birth: _____ Age: _____ Social Security Number: _____

Current Drivers License: _____ State _____ Expiration date: _____

List all the address where you have lived during the past five (5) years:

From-To Street Address City, State

EXHIBIT "B"

**CERTIFICATE OF NO OUTSTANDING
FINAL JUDGMENTS**

This is to certify that I, the Applicant or agent designated by the corporation, have no outstanding, unpaid final judgments in any of the counties of the State of Texas.

Affiant's Signature

The State of Texas

County of _____

_____, being duly sworn, deposes and says: The foregoing certification of no outstanding final judgments, marked *Exhibit "B"* is true and correct and is within my personal knowledge.

Subscribed and sworn to, before me, this the _____ day of _____, 20_____.

Notary Public in and for the State of Texas

SEAL

EXHIBIT "C"

APPLICANT'S STATEMENT OF APPRENTICESHIP AND CONTINUING LEGAL EDUCATION

1. In the two (2) years preceding this application, I have had at least one year of continuous work experience in the bail bond business.

A. Dates of continuous work experience:

B. Name of company where experience was obtained:

C. Name of supervisor where experience was obtained:

2. I have completed at least eight (8) hours of continuing legal education in criminal law courses or bail bond law courses that are approved by the State Bar of Texas and are offered by an institution of higher education accredited by the state.

A. Name of the course(s) of continuing legal education taken and number of hours per course:

B. Where the course(s) of continuing legal education were taken:

C. Dates the course(s) were taken:

3. If you are eligible for an exemption, please state and describe below:
[Tex. Occ. Code Ann. § 1704.109 (c)(2) (Vernon 2001).]

Affiant's Signature

The State of Texas
County of _____

_____, being duly sworn, deposes and says: The foregoing statement, marked Exhibit "C" is a full and complete statement of my apprenticeship and continuing legal education. This statement is true and correct and is within my personal knowledge.

Subscribed and sworn to, before me, this the _____ day of _____, 20____.

SEAL

Notary Public in and for the State of Texas

EXHIBIT "D"

**FINANCIAL STATEMENT
ATTACHED**

The State of Texas
County of _____

_____, being duly sworn,
deposes and says: The statement attached to *Exhibit "D"* is a full and complete financial
statement of _____ and the same is true and correct
to his or her personal knowledge.

APPLICANT'S SIGNATURE

Subscribed and sworn to, before me, this the _____ day of _____, 20_____.

Notary Public in and for the State of Texas

SEAL