

South Carolina Department of Insurance

Capitol Center
1201 Main Street, Suite 1000
Columbia, South Carolina 29201


NIKKI R. HALEY
Governor

RAYMOND G. FARMER
Director

Mailing Address:
P.O. Box 100105, Columbia, S.C. 29202-3105
Telephone: (803) 737-6160

BULLETIN 2016-08

TO: All Professional and Surety Bondsmen (Bondsmen) and Runners Transacting Business in South Carolina

FROM: Raymond G. Farmer
Director of Insurance 

SUBJECT: Professional Bondsmen Financial Statement, Continuing Education, Fingerprinting Completion and Email Addresses

DATE: October 5, 2016

I. Purpose

The purpose of this bulletin is to inform all licensed bondsmen and runners of requirements recently enacted by the South Carolina General Assembly. These requirements include 1) an increase in the number of continuing education (CE) and pre-licensing education hours required for licensure of bondsmen and runners; and 2) providing a personal or business email address to the South Carolina Department of Insurance (Department). Additionally, this bulletin serves as a reminder that professional bondsmen are required to submit annually a detailed financial statement on the form that the director or his designee prescribes in accordance with S.C. Code §38-53-110; and, bondsmen and runners must submit their fingerprints annually upon licensure or renewal.

II. Discussion

A. CE and Pre-licensing Education Amendments

2016 S.C. Act No. 240 was signed into law on June 5, 2016. This legislation increases the hours required for pre-licensing education for bondsmen and runners from 20 hours to 30 hours. It also increases the hours required for CE compliance from 6 hours to 8 hours. Effective June 5, 2016, bondsmen and runners are now required to complete eight (8) hours of continuing education and submit proof of such compliance before May 15th of each year. Generally, CE sponsors will enter the hours completed by the bondsmen or runners following the completion of the CE course. If May 15th falls on a weekend or holiday, the continuing education requirements must be completed and submitted to the Department the next business day.

Bulletins are the method by which the Director of Insurance formally communicates with persons and entities regulated by the Department. Bulletins are Departmental interpretations of South Carolina insurance laws and regulations and provide guidance on the Department's enforcement approach. Bulletins do not provide legal advice. Readers should consult applicable statutes and regulations or contact an attorney for legal advice or for additional information on the impact of that legislation on their specific situation.

B. Fingerprint Submission for Bondsmen and Runners

2013 S.C. Act No. 67 amended the South Carolina insurance laws to require bondsmen and runners to submit fingerprints along with their application for licensure or renewal. Effective June 13, 2013, before a license is issued to a new or renewal applicant permitting the person to act as a professional or surety bondsman or runner, the applicant must undergo a state and federal criminal records check. To complete this requirement, new and renewal applicants must have their fingerprints taken by the South Carolina Law Enforcement Division (SLED) or its vendor and a national criminal records check by the Federal Bureau of Investigation (FBI). Fingerprints scanned into the requisite databases and a fingerprint receipt is issued to the applicant by the vendor to submit to the Department. This receipt must be submitted with the application for licensure or renewal. The deadline for submitting a renewal application is May 15th of each year. Therefore, a renewal applicant's fingerprint receipt must be submitted to the Department no later than May 15th of each year. A copy of the fingerprint receipt may be mailed or faxed to the department. If May 15th falls on a weekend or holiday, the applications (with the attached fingerprint receipts) must be completed and submitted the next business day. The cost of the criminal history records must be borne by the applicant.

C. Email Addresses

Effective January 1, 2017, all individual licensees (including bondsmen and runners) must provide an active business or personal email address to the Department. Additionally, licensees must notify the Department within 30 days of any change in the personal or business email address. Email addresses are being required to help facilitate communication with licensees of this Department. Licensees are encouraged to start submitting their email addresses as soon as possible.

D. Financial Statements by Professional Bondsmen

It has come to the Department's attention that some professional bondsmen are not filing timely financial reports. This serves as a reminder. All professional bondsmen must submit a financial statement to the Department on or before March 1st of each year. If March 1st falls on a weekend or holiday, the financial statement must be received by the Department the next business day. The financial statement form (BB1106) may be obtained from the SCDOI's website at (<http://doi.sc.gov/842/Professional-Bondsman-Financial-Statement>).

III. Questions

Questions about this bulletin should be directed to the attention of Willie Seawright at 803-737-6099 via email to wseawright@doi.sc.gov or fax (803) 737-6100. Please note that failure to file the required statement by the established deadline or to comply with the other requirements set forth in this bulletin constitutes a violation of the South Carolina insurance laws. Persons violating the insurance laws of this state are subject to the penalties set forth in §§ 38-2-10 and 38-53-340.

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