



HARRIS COUNTY BAIL BOND BOARD

**1200 Baker Street
Houston, Texas 77002
(346) 286-1240**

**TROY MCKINNEY,
CHAIRMAN
ED GONZALEZ, SHERIFF
KIM OGG, DISTRICT ATTORNEY
DYLAN OSBORNE, COUNTY TREASURER
LINA HIDALGO, COUNTY JUDGE
HONORABLE SHANNON BALDWIN**

**HONORABLE ANGELA RODRIGUEZ,
VICE CHAIRMAN
HONORABLE J. ELAINE MARSHALL
HONORABLE AMY MARTIN
MARILYN BURGESS, DISTRICT CLERK
MARIO GARZA, BONDSMAN**

MINUTES OF APRIL 13, 2022 MEETING NO. 481

The monthly meeting of the Harris County Bail Bond Board was held Wednesday, April 13, 2022, in the Harris County Administration Building, Commissioners Court, 1001 Preston St. Houston, Texas 77002. The meeting was called to order by Honorable Angela Rodriguez, at 1:37 p.m.

ATTENDANCE:

Honorable Angela Rodriguez, Vice Chairman
County Judge Lina Hidalgo
Kathryn Kase, Designee for County Judge Lina Hidalgo
Honorable J. Elaine Marshall, Director and Presiding Judge
for the City of Houston Municipal Courts
Michael Butera, Designee for Kim Ogg
Dylan Osborne, County Treasurer
Marilyn Burgess, District Clerk
Honorable Shannon Baldwin, Criminal Court Representative
Honorable Amy Martin, District Court Representative
Troy McKinney, Attorney Representative
Mario Garza, Bail Bondsman Representative
Sheriff Ed Gonzalez, Harris County Sheriff's Office
Sergeant Sisto DeLeon, Designee for Sheriff Ed Gonzalez
Deputy David Kern, Harris County Sheriff's Office
Leslie Rubio, Recorder, Harris County Sheriff's Office

NOT IN ATTENDANCE: N/A

A. READING OF PRIOR MINUTES

Motion to approve made by Michael Butera; seconded by Troy McKinney; motion carried. (All in favor)

B. OLD BUSINESS

Old Business moved to the end of the agenda

C. NEW BUSINESS

- 1. Election of the Harris County Bail Bond Board Chairman for the remainder of 2022.

Mario Garza nominated Troy McKinney as Chairman; seconded by Kathryn Kase; motion carried. (7 in favor: Troy McKinney, Judge Shannon Baldwin, Judge Amy Martin, Judge Angela Rodriguez, Michael Butera, Judge Elaine Marshall, Mario Garza)

Sheriff Ed Gonzalez nominated Dylan Osbrone as Chairman; seconded by Kathryn Kase; no action taken.

Judge Angela Rodriguez nominated herself as Chairman; seconded by Kathryn Kase; no action taken. Judge Angela Rodriguez withdraws her nomination.

Troy McKinney revises his motion to have the acting chair calls for votes for one person and calls votes for the other person and person that recieves the most votes becomes new chair; seconded by Judge Elaine Marshall.

- 2. Request by Judge Angela Rodriguez for discussion and potential action acknowledging former Chair Glenn Stickland and his years of service to the Harris County Bail Bond Board.

Acknowledged.

- 3. Request for Renewal of License

ALLEGHENY CASUALTY COMPANY

Agent: Thomas Stith II
Dba: North Main Bail Bond Company
108 Pecore Street
Houston, Texas 77009

VOIR DIRE COMPLETE

Phone: 713-869-5625
3-year license
License No. 74494

Motion to approve made by Michael Butera; seconded by Judge Elaine Marshall; motion carried. (All in favor)

4. **BANKERS INSURANCE COMPANY**

VOIR DIRE COMPLETE

Agent: Maria Sanchez
Dbas: X-It Bail Bonds
7434 Brownwood Street
Houston, Texas 77020

Phone: 713-222-8880

3-year license
License No. 74557

Motion to approve made by Troy McKinney; seconded by Judge Amy Martin; motion carried. (All in favor)

5. Request for Renewal of License

FINANCIAL CASUALTY & SURETY, INC.

VOIR DIRE COMPLETE

Agent: Rodney Vannerson
Dbas: Aaron Bail Bonds
409 Fannin Street
Houston, Texas 77002

Phone: 713-223-2663

3-year license
License No. 74497

Motion to approve made by Michael Butera; seconded by Troy McKinney; motion carried. (All in favor)

6. Request for Renewal of License

FINANCIAL CASUALTY & SURETY, INC.

VOIR DIRE COMPLETE

Agent: Sheba Muharib
Dbas: Aable Bonds
1620 Austin Street
Houston, Texas 77002

Phone: 713-955-2663

2-year license
License No. 74571

Motion to approve made by Judge Amy Martin; seconded by Troy McKinney; motion carried. (All in favor)

7. Request for Renewal of License

FINANCIAL CASUALTY & SURETY, INC.

VOIR DIRE COMPLETE

Agent: Todd Holmes
Dbas: Clutch City Bail Bonds
4141 North Freeway, Suite 124
Houston, Texas 77022

Phone: 713-568-6060

2-year license
License No. 74591

Motion to approve made by Michael Butera; seconded by Marilyn Burgess; motion carried. (All in favor.)

8. Request for Renewal of License

SUNYA CLAIBORNE

Dbas: All About Bail Bonds #2
313 Rankin Road, Suite B
Houston, Texas 77073

VOIR DIRE COMPLETE

Phone: 281-784-2474
2-year license
License No. 74589

Motion to approve made by Michael Butera; seconded by Judge Amy Martin; motion carried. (All in favor)

9. Notice made by American Surety Company, agent: Vanessa Failla, dba: International Bonding Co. II, license no. 74616 to move the primary office to a new location:

**1001 San Jacinto Street
Houston, TX 77002**

Acknowledged.

[Item 11. Taken out of order]

11. Request that the Harris County Attorney seek an opinion from the Texas Attorney General's Office clarifying the Bail Bond Board's authority, if any, to regulate the terms of agreements entered into by bonding companies conducting business in Harris County.

Motion to approve made by Judge Amy Martin; seconded by Judge Shannon Baldwin; motion carried. (6 in favor: Mario Garza, Michael Butera, Judge Amy Martin, Judge Shannon Baldwin, Troy McKinney; Judge Angela Rodriguez; 5 opposed: Sheriff Ed Gonzalez, Dylan Osborne, Judge Elaine Marshall, Kathryn Kase, and Marilyn Burgess)

Motion to install Troy McKinney as Chair immediately by Kathryn Kase; seconded by Marilyn Burgess; no action taken. Judge Angela Rodriguez yields the chair to Troy McKinney.

10. Request for the Harris County District Attorney's office to request a Texas Attorney General's Opinion regarding the authority of the Harris County Bail Bond Board to enact a local rule requiring that bonding companies collect a minimum percentage of bail before posting a surety bond.

Motion to approve made by Dylan Osborne; seconded by Sheriff Ed Gonzalez; motion failed. (1 in favor: Mario Garza; 10 members opposed; 1 abstained: Judge Angela Rodriguez)

12. Request for discussion and potential action regarding bail bond surety premiums and a requirement that bonding companies collect a minimum percentage of bail before posting a surety bond. Consider meeting in an executive session for legal advice regarding this issue.

Motion made by Michael Butera to approve the Proposed Rule (attached hereto as Exhibit "A") as amended to add the following offenses: 14. Attempted murder; 15. Section 22.02 (aggravated assault); 16. Burglary of a habitation with intent to commit a serious violent or sexual offense; 17. Engaging in organized crime involving a serious violent or sexual offense; seconded by Sheriff Ed Gonzalez.

Motion to amend the motion on the table to require that 100% of the bond amount be paid as a premium to the bail bondsman made by Troy McKinney; seconded by Judge Amy Martin; motion failed. (4 in favor: Mario Garza, Judge Angela Rodriguez, Judge Amy Martin, Troy McKinney; 6 opposed: Sheriff Ed Gonzalez, Dylan Osborne, Judge Elaine Marshall, Michael Butera, Kathryn Kase, and Marilyn Burgess; 1 abstained: Judge Shannon Baldwin)

Restatement of the motion on the table as made by Michael Butera and seconded by Sheriff Ed Gonzalez to approve the Proposed Rule as amended; motion carried. (6 in favor: Sheriff Ed Gonzalez, Dylan Osborne, Judge Elaine Marshall, Michael Butera, Kathryn Kase, Marilyn Burgess; 2 opposed: Mario Garza, Troy McKinney; 3 abstained: Judge Angela Rodriguez, Judge Amy Martin, and Judge Shannon Baldwin)

Motion for final passage of item number twelve to approve the Proposed Rule as amended made by Michael Butera; seconded by Sheriff Ed Gonzalez; motion carried. (6 in favor: Sheriff Ed Gonzalez, Dylan Osborne, Judge Elaine Marshall, Michael Butera, Kathryn Kase, Marilyn Burgess; 2 opposed: Mario Garza, Troy McKinney; 3 abstained: Judge Angela Rodriguez, Judge Amy Martin, and Judge Shannon Baldwin)

OLD BUSINESS

1. Consider adopting a new Section 19 to the Harris County Bail Bond Board Rules as follows:

19. Regulatory Requirements for Bail Bonding Businesses

- A. No licensee or agent for a corporate surety shall violate the Texas Deceptive Trade Practices Act, TEX. BUS. & COM. CODE Chapter 17, in conducting any bail bond business activity. A violation of the Texas Deceptive Trade Practices Act is a violation of the rules adopted by the Board.
- B. An agreement between a licensee, or agent for a corporate surety and a guarantor, co-surety, or defendant related to time or installment payments of any bond premium, security, or cost, however labeled, for making the bond must be in writing and be signed by both an authorized person for the licensee or agent for a

corporate surety and any person responsible for making the time or installment payments. The agreement must be signed before the bond is made. If the defendant is to be a party to the agreement, such agreement must be signed by the defendant before the bond is made if the defendant is not already in custody or, if the defendant is already in custody, within two business days after the defendant is released from custody. The agreement must state the date and time at which each person signed the agreement. The agreement must state the total premium, security, or fee charged, the total outstanding amount owed that is to be paid over time or in installments, the amount of each future payment and to what it will be applied, the date by which payments must be made, and any charges, interest, or fees applicable to the time or installment agreement. A defendant who is not a party to a time or installment agreement must be given an opportunity of not less than five business days following actual notice from the licensee or agent for a corporate surety to make any untimely time or installment payment required of any guarantor or co-surety before a licensee or agent for a corporate surety may file an application or affidavit for surrender for the failure of a guarantor or co-surety to make a required payment. No licensee or agent for a corporate surety, or anyone acting on their behalf, may seek to surrender a bond for the failure to make required time or installment payments without having an agreement that complies with every requirement of this section. An application or affidavit for surrender of a bond must include, if it exists, a copy of any time or installment agreement required by this rule if the application or affidavit to surrender the bond is based in whole or in part on the failure of anyone to make a time or installment payment subsequent to the posting of the bail bond.

Motion to table for next meeting made by Troy McKinney; seconded by Judge Angela Rodriguez; motion carried. (9 members in favor; 2 opposed: Kathryn Kase and Dylan Osborne)

Motion to adjourn made by Kathryn Kase; seconded by Michael Butera and was carried. (All in favor).

Meeting ended at 4:55 p.m.

Judge Angela Rodriguez,
Vice Chairman
Harris County Bail Bond Board

AR/lr

Exhibit "A"