

*State of Idaho*  
**DEPARTMENT OF INSURANCE**

C.L. "BUTCH" OTTER  
Governor

700 West State Street, 3rd Floor  
P.O. Box 83720  
Boise, Idaho 83720-0043  
Phone (208)334-4250  
Fax (208)334-4398  
Website: <http://www.doi.idaho.gov>

DEAN L. CAMERON  
Director

**BULLETIN NO. 17-04**

**DATE:** August 2, 2017  
**TO:** Surety Insurers and Insurance Producers Doing Bail Bond Business in Idaho  
**FROM:** Dean Cameron, Director  
**SUBJECT:** Bail Agent Compensation of Incarcerated Persons Prohibited

---

Background and Introduction

The purpose of this bulletin is to notify bail agents writing bail bonds in Idaho of [House Bill 136](#) enacted by the Idaho Legislature during the 2017 legislative session. Specifically, this bill added a new subsection of the Idaho Insurance Code, § 41-1016(1)(o), effective July 1, 2017, which concerns compensating or agreeing to compensate any incarcerated person.

New Legislation

Effective July 1, 2017, Idaho Code § 41-1016(1)(o) provides that the following is prohibited:

In the case of a bail agent, compensating or agreeing to compensate any incarcerated person to influence or encourage another incarcerated person or other incarcerated persons to engage the bail agent's services or the services of the bail agent's company or of other bail agents employed by such bail company. For purposes of this subsection, compensating any incarcerated person shall include providing payment in any form to any person, organization or entity designated by the incarcerated person to receive such payment.

The stated purpose of the bill is to assure that inmates in a county jail are not put in a position to be pressured by other inmates to do business with certain bail agents to the exclusion of other bail agents.

If you have questions concerning the solicitation of incarcerated persons, please contact the Consumer Affairs Section of the Department at (208)334-4250.