

Your Exam Content Outline

The following outline describes the content of one of the South Dakota insurance examinations. The outlines are the basis of the examinations. The examination will contain questions on the subjects contained in the outline. The percentages indicate the relative weights assigned to each part of the examination. For example, 10 percent means that 6 questions will be drawn from the section on a 60-question exam, 10 will be drawn on a 100-question exam and 15 will be drawn on a 150-question exam.

Series 10-49 South Dakota Exam for Bail Bonds

50 questions – One-hour time limit

1.0 Insurance Regulation 10%

1.1 Licensing

- Persons to be licensed
 - Ineligibility (58-22-3)
- Types of bail bondspersons
 - Runner (58-22-1(5))
 - Professional bondsperson (58-22-1(3))
 - Property bondsperson (58-22-1(4))
 - Surety bondsperson (58-22-1(6))
- Appointment (58-22-8, 27)
- Termination of appointment (58-22-9, 28)
- Maintenance and duration
 - Expiration (58-22-19)
 - Renewal (58-22-20)
 - Annual license registration (58-22-25)
 - Termination of business (58-22-26)
- Disciplinary actions
 - Denial, revocation, or nonrenewal (58-22-21)
 - Refusal, suspension, or cancellation (58-22-11, 22)

1.2 Bondsperson regulation

- Runner requirements (58-22-12, 13)
- Professional bondsperson requirements
 - Annual financial statement (58-22-10)
 - Trust deposits (58-22-24)
 - Annual list of forfeitures (58-22-38)
- Prohibited conduct
 - Rebates (58-22-29, 33, 34)
 - Compensation (58-22-30)
 - Solicitation where prisoners are confined (58-22-32)
 - Practice of law (58-22-35)
 - Referral of attorney (58-22-36)
 - Signing bond in blank (58-22-37)
- Unfair trade practices
 - Misrepresentation (58-33-37)
 - False advertising (58-33-6)
 - Defamation of insurer (58-33-7)
 - Boycott, coercion and intimidation (58-33-32)
 - Unfair discrimination (58-11-55; 58-33-13.1)
- Insurance fraud regulation (58-4A-1-17)

2.0 Principles of Bail Bonds 45%

2.1 Parties to a surety bond

- Principal
 - Indemnitor for principal
 - Indemnity agreement
 - Rights of indemnitor (bondsperson, surety)
 - Collateral and trust obligations of bondsperson
- Obligee
- Surety
- Custody requirements
- Responsibilities and rights of each party

2.2 Requirements (eligibility) of a surety

2.3 Duties of bail bondsperson

- Receipt for collateral

2.4 Compensation of surety

2.5 Types of bonds

- Personal surety bond
- Corporate surety bond
- Property bond
- Professional bond

3.0 Bail Bond Practices (South Dakota Codified Laws, 23A-43 Rule 46) 35%

3.1 Court procedures

- Felonies versus misdemeanors
- Warrants
- Custody
- Court appearances
- Conditions of release
- Appeals

3.2 Bond forfeiture

- Motion
- Notice to defendant and sureties
- Dispersal of funds
- Rights of defendant apprehended by surety

3.3 Surrender of principal (defendant)

- Return of premium
- Return of collateral

4.0 Legal Framework 10%

4.1 Terminology

- Appeal
- Appearance bond
- Acquitted
- Adjudication
- Capital offense
- Convicted

Defendant
Disposition
Extradition
Fugitive
Hearing
Incarcerated
Indictment
Recognizance
Judicial sentence
Writ
Forfeiture
Supersedeas
Habeas corpus
Arraignment
Trial by jury
Exoneration