

**REQUEST FOR ADVANCE PUBLIC COMMENT ON SUBJECT
MATTER OF POSSIBLE RULEMAKING**

	Rule Number	<u>Plc 1700</u> (If applicable)
1. Agency Name & Address: Office of Professional Licensure & Certification 7 Eagle Square Concord, NH 03301	2. RSA Authority:	<u>RSA 310:6, II; RSA 598-A:4</u>
	3. Federal Authority:	_____
	4. Type of Action:	
	Adoption	<u> X </u>
	Amendment	_____
	Repeal	_____
	Readoption	_____
	Readoption w/amendment	_____

5. Short Title: **Regulation of Professional Bail Bondsmen**

IN ACCORDANCE WITH RSA 541-A:11, VIII THIS AGENCY IS SOLICITING PUBLIC COMMENT ON A SUBJECT MATTER OF POSSIBLE RULEMAKING UNDER ACTIVE CONSIDERATION PRIOR TO FORMALLY PROPOSING RULES IN THE RULEMAKING PROCESS. WHERE, WHEN, AND HOW PERSONS MAY PROVIDE COMMENT ARE INDICATED BELOW.

6. (a) Summary of the subject matter, or summary of the rule if drafted, and the effect on those regulated:
The regulation of professional bail bondsmen under RSA 598-A was transferred to the Executive Director of the Office of Professional Licensing and Certification (OPLC) in 2023 by Laws of 2023, 79:337-341, eff. September 1, 2023. The profession originally was regulated by the Insurance Department, then was transferred to the Secretary of State’s Office of Securities Regulation by Laws of 1989, ch. 8. Rules governing this profession were adopted by the Insurance Department as Ins 2301, effective January 1, 1982, and were readopted effective July 1, 1987 (Doc. #4287). The rules do not appear to have been thereafter readopted by the Insurance Department or by the Director of the Office of Securities Regulation, although the OPLC has received information suggesting that the profession continued to be regulated in a similar manner.

The Executive Director of OPLC is proposing to adopt rules pursuant to RSA 598-A:4, which provides, in its entirety, “All professional bondsmen shall be governed by rules which shall be adopted under RSA 541-A by the executive director of the office of professional licensure and certification.” Prior to initiating a rulemaking, the Executive Director is seeking input from stakeholders regarding how bail bondsmen should be regulated in New Hampshire.

6. (b) Brief description of the groups affected:
There currently are no registered professional bail bondsmen. The rules thus will directly affect any individual who wishes to become a professional bail bondsmen in New Hampshire and will indirectly affect anyone who may need the services of a professional bail bondsman.

7. Contact person for copies, questions, and receipt of comment including requests to accommodate persons with disabilities:

Name:	Gretchen Hamel	Title:	Program Specialist IV
Address:	OPLC 7 Eagle Square Concord, NH 03301	Phone #:	Please contact by email
		Fax#:	[discontinued]
		E-mail:	Gretchen.R.Hamel1@oplcnh.gov

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8. Deadline for submission of comment in writing or, if practicable for the agency, in the electronic format specified: **4:00 PM on Friday, February 16, 2024**

Please submit comments to OPLC-Rules@oplcnh.gov

Fax

E-mail

Other format (specify):

You do not need to attend the hearing to submit written comments.

9. Public hearing scheduled for:

Date and Time: **Tuesday, February 6, 2024 at 1:30 PM**

Place: **Board Room, Office of Professional Licensure & Certification,
7 Eagle Square, Concord, NH**