

Study Exam

The following questions have been compiled from memory upon taking the Department of Insurance Bail Examination.

1. City and county can imply regulations to the bail industry?
 - a) True
 - b) False

2. Any bail agent who willfully fails to deliver a defendant to custody within 48 hours is guilty of:
 - a) A Felony
 - b) A Misdemeanor
 - c) Failure To Appear
 - d) None of the above

3. After conviction of an offense not punishable with death, an application for probation or an appeal a defendant may be admitted to bail:
 - a) As a matter of right before judgment is announced
 - b) As a matter of right when appeal from judgment imposing imprisonment in cases of misdemeanors.
 - c) As a matter of discretion in all other cases.
 - d) All of the above.

4. What may a bail agent charge for in the transaction of bail in addition to the premium rate?
 - a) Recording Fees
 - b) Travel Expenses
 - c) Any Charges Incurred Backed By Receipts
 - d) None of the above

5. What is the definition of fiduciary?
 - a) Trust
 - b) Faithful
 - c) As an operating expense
 - d) All of the above

6. What may a bail agent do:
 - a) Solicit an arrestee's attorney
 - b) Charge an arrestee for attorney fees
 - c) Refer an arrestee to an attorney
 - d) Have an attorney put an assignment on collateral

7. A bail solicitor may transact under more than one employer when:
 - a) The business is a partnership.
 - b) Individual licensees with a registered appointment with the department of insurance for each
 - c) When the solicitor is a member of the partnership
 - d) All of the above

8. When an arrestee is requesting bail to be reduced, who will handle the request?
- Court Clerk
 - Appeals Court
 - Local Magistrate
 - All of the above
9. The reason for the bail system is:
- To insure the appearance of the arrestee to appear on the court appointed date.
 - To insure the arrestee accepts the judgments of the court.
 - To insure the arrestee takes responsibility for the dates and judgments of the court.
 - None of the above.
10. An arrestee charged with a felony can be released on:
- Before held to answer.
 - After seeing a Magistrate, before conviction on held to answer.
 - Before a bench warrant but after arrest.
 - All of the above.
11. Definition of a bond is:
- Any form used by a surety.
 - Any form used by a bondsman.
 - Any form used by an attorney.
 - None of the above.
12. Who is notified by mail in the case of a forfeiture?
- The Surety Company.
 - The Surety Company and the bonding company.
 - The arrestee.
 - None of the above.
13. If three people are conducting a partnership and one dies, what must the remaining partners do?
- They can continue if their partnership agreement allows for a continuation
 - Must notify the Insurance Commissioner.
 - Must be relicensed.
 - All of the above.
14. An officer in the jail may accept one of the following to release a person charged with a felony:
- Cash bail.
 - Surety bond.
 - An authorization from the presiding judge that the arrestee is bailable.
 - A and B
15. Who decides on the OR release?
- Courts.
 - Sheriff's Department.
 - Court Clerk.
 - All of the above.

16. How long must a licensed bail agent keep their records?
- a) 3 years.
 - b) 5 years from the last transaction.
 - c) Until the Department of Insurance comes to inspect.
 - d) None of the above.
17. Who regulates the bail industry?
- a) Penal Code.
 - b) Insurance Commissioner
 - c) Courts.
 - d) None of the above.
18. A bail solicitor may transact under:
- a) His employers own or approved fictitious name.
 - b) His employers and his own approved fictitious business name.
 - c) His own or approved fictitious name.
 - d) None of above.
19. Who makes the bail schedule for felonies?
- a) Sheriff's Department
 - b) Superior, Municipal and Justice Court Judges.
 - c) A committing Magistrate
 - d) All of the above.
20. When does the bail license renew?
- a) July 1st.
 - b) May 1st.
 - c) June 30th.
 - d) None of the above.
21. How long must you be a resident of California to obtain a bail license?
- a) 1 year.
 - b) 6 months.
 - c) 2 years.
 - d) None of the above.
22. Who can be a surety?
- a) Any licensed bondsman.
 - b) Property and Casualty insurance company.
 - c) Any natural person.
 - d) All of the above.
23. If a bond is not forfeited and the person or persons are done with all of their court appearances, how long does the superior court need to keep the exonerated bond?
- a) One year
 - b) Three years
 - c) Five years
 - d) Ten years
24. What documents do you give the Indemnitor?

- a) Copies of any document they sign.
 - b) Receipt for money you receive.
 - c) A and B
 - d) None of the above.
25. The court may destroy most case records after;
- a) Six months
 - b) One year
 - c) Three years
 - d) Ten years
26. The commissioner of the Department of Insurance has the ability to arbitrarily change what laws?
- a) Penal
 - b) Insurance
 - c) Administrative
 - d) None of the above
27. Who may appear in front of the judge to obtain a bail reduction?
- a) Defendant
 - b) Attorney
 - c) Family or Friend
 - d) All of the above
28. What does "transact" include when applied to bail?
- a) Solicitation
 - b) Negotiations preliminary to execution
 - c) Transaction of matters subsequent to execution of the contract and arising out of it
 - d) All of the above
29. The defendant is out on bail and within 10 days he/she is arrested for the same case, the defendant must;
- a) Get a new bond and pay the full amount
 - b) Use the same bond and pay 50%
 - c) Get a new bond at no charge
 - d) None of the above
30. How many days does the court clerk have to mail a notice of forfeiture to the surety if a bond exceeds four hundred dollars?
- a) 10 days
 - b) 180 days
 - c) 30 days
 - d) 60 days
31. To renew your bail license after May 1st, the Department of Insurance will charge you:
- a) Triple the renewal fee
 - b) The original fee plus a \$50 penalty
 - c) Double the renewal fee
 - d) None of the above
32. Your brother gets out of jail and wants to stay with you, he can if:
- a) You notify the commissioner in writing and the commissioner can not refuse

- b) He can not stay with you
 - c) You notify the commissioner in writing and the commissioner may not refuse
 - d) None of the above
33. Can a bail agent receive rebates from another bail agent?
- a) Yes, if they have a written agreement
 - b) Yes, if approved by the commissioner
 - c) No, never
 - d) No, unless it is approved by the commissioner
34. How long does a bail company need to be in business before it can be sold?
- a) One year
 - b) Six months
 - c) Two years
 - d) Five years
35. Every County Clerk must know the names and license numbers of all bail agents. Where do they receive this information?
- a) Off the internet
 - b) From the Jailor
 - c) The Insurance Commissioner automatically provides the information
 - d) All of the above.
36. If you are a retired police officer from Los Angeles County and you want to become a bail agent, you may;
- a) Obtain an unrestricted license
 - b) Obtain a restricted license if evidence satisfactorily is given to the commissioner that bail business will be conducted in a county other than where you were employed.
 - c) Obtain permission from the Department of Insurance
 - d) None of the above
37. In lieu of exonerating the bond, the court may order the bail reinstated and the defendant released on the same bond when what conditions are met;
- a) The bail is given prior notice of the reinstatement and the bail has not surrendered the defendant
 - b) A ten day notice has been provided to the court and all parties agree
 - c) The defendant has is a fugitive and notice has been given to the court
 - d) None of the above
38. A bench warrant for a defendant's failure to appear may not be issued if;
- a) The court believes the defendants failure to appear has a reasonable excuse
 - b) The defendant is deceased
 - c) The attorney asks for a countenance
 - d) The court believes the defendant was not notified of the court date
39. You retired from law enforcement and now want to become a bail agent, you may if:
- a) Six months have passed and you obtain permission from the commissioner
 - b) Three years have passed
 - c) Two years have passed
 - d) Five years have passed
40. If two people want to be partners in a bail business but one partner is not a licensed bail agent;
- a) The licensed agent must own 51% of the business
 - b) All partners must be licensed
 - c) The non-licensed partner can not have an active or controlling interest in the business

- d) All of the above
41. How are fiduciary funds maintained?
- a) Held in a trust account
 - b) Held in a general account
 - c) May be used to purchase stock
 - d) None of the above
42. You plan to use a fictitious business name for your bail agency; who must approve the name?
- a) City in which you are doing business
 - b) County in which you are doing business
 - c) Department of Insurance Commissioner
 - d) All of the above
43. Where would you obtain a certified copy of an undertaking?
- a) Your Surety company
 - b) The Court
 - c) A Notary Public
 - d) The local bank
44. Who can deliver a power of attorney?
- a) Professional Mail Courier
 - b) The defendants attorney
 - c) Licensed Bail Agent
 - d) All of the above
45. If a bail agent fails to deliver a defendant to court for the purpose of surrender he or she is guilty of:
- a) An infraction
 - b) A felony
 - c) A misdemeanor
 - d) Bad judgment
46. A surety shall be released of all obligations under the bond if what conditions apply?
- a) The clerk fails to mail the notice of forfeiture in accordance with section Penal Code section 1305 within 30 days after the entry of forfeiture.
 - b) The clerk fails to mail the notice for forfeiture to the surety at the address printed on the bond.
 - c) The clerk fails to mail a copy of the notice of forfeiture to the bail agent at the address shown on the bond.
 - d) Any of the above
47. When any bond is forfeited and the period of time specified in Penal Code section 1305 has elapsed without the forfeiture having been set aside, the court which has declared the forfeiture, regardless of the amount of the bail shall;
- a) Enter a summary judgment against each bondsman named in the bond
 - b) Demand immediate payment of the judgment within 30 days after the summary judgment becomes final.
 - c) Issue a bench warrant for the bail bondsman
 - d) A and B
48. All fines and forfeitures imposed and collected from crimes other than parking offenses shall be deposited with:
- a) The court clerk
 - b) The city treasurer
 - c) The county treasurer

- d) The Department of Insurance
49. In the bail industry, an undertaking of bail is considered a written instrument in which a contract of insurance is set forth. The contract of insurance is:
- a) An agreement
 - b) A policy
 - c) A power of attorney
 - d) None of the above
50. Any changes to the schedule of charges for bail shall be filed with the Department of Insurance Commissioner within:
- a) 5 days
 - b) 10 days
 - c) 30 days
 - d) 60 days
51. When does the bail license expire?
- a) July 1st
 - b) May 1st
 - c) June 30th
 - d) None of the Above
52. A natural person is defined as:
- a) A person born in the USA
 - b) A human being
 - c) An environmentalist
 - d) None of the above
53. Where does a bail agent keep his/her identification?
- a) On their person at all times
 - b) In the glove compartment of their vehicle
 - c) In their office
 - d) None of the above
54. A bail solicitor may;
- a) Conduct business for more than one bail agent
 - b) Only conduct business under the name of his/her employer
 - c) Own their own bail agency
 - d) None of the above
55. Any person actually detained or subject to detention in custody whose release may lawfully be effected by bail is defined as a:
- a) Arrestee
 - b) Defendant
 - c) Criminal
 - d) All of the above
56. No person may receive commission on bail or the transaction of bail unless he/she holds a:
- a) Bail Permittee license
 - b) Bail license
 - c) Business license
 - d) Both A and B

57. In order to have a bail amount lowered, the judge shall take the following things into consideration:
- The defendant has no previous criminal record
 - The defendant has made it to all previous court dates
 - Unusual circumstances
 - All of the above
58. The District Attorney's office disputes the release of funds on an exonerated bond. The court agrees with the dispute. The funds then would be released to:
- The Attorney General's office
 - Split equally between the City and County
 - Split equally between the City and County after the fees from the District Attorney's office are repaid
 - Split equally between the County and State
59. The Insurance Commissioner can make rules when:
- To regulate the Insurance Code
 - To regulate the Penal Code
 - Never
 - Whenever he wants
60. When a bond is forfeited, a period of time has elapsed and summary judgment has become final, how quickly must a the bail agent make payment:
- 5 days
 - 10 days
 - 20 days
 - 30 days
61. What size bond is required for a bail agent or bail solicitor:
- \$10,000
 - \$5,000
 - \$2,500
 - \$1,000
62. What is the incorrect answer: The Insurance Commissioner may decline to issue a bail license until he is satisfied that:
- The applicant is of good business reputation
 - The applicant is of good general reputation
 - The applicant is of good moral reputation
 - The applicant is a fit and proper person to hold the license applied for
63. Who, upon request, must a bail licensee show an identification card issued to him by the Insurance Commissioner;
- Police Officer
 - Jailer
 - Anyone
 - All of the above
64. If, in the case of felonies, an indictment is filed, the judge or clerk of the court shall transmit all of the money and surety bonds to:
- The Attorney General
 - The Clerk of the Court
 - The County Counsel
 - The City Treasurer
65. Which of the following agent(s) are permitted to issue Immigration Bonds:

- a) Bail Bond Agents
 - b) Federal Agents
 - c) Fire and Casualty Agents
 - d) Property and Casualty Agents
66. Federal law (Title 18 United States Code Section 1033) prohibits anyone who has been convicted of a felony involving dishonesty or a breach of trust from conducting the business of insurance unless they have obtained:
- a) A written consent of the Insurance Commissioner
 - b) A written statement from the Court stating the conviction was expunged or discharged
 - c) A written consent from the Attorney General
 - d) None of the Above
67. Notice to the Insurance Commissioner of any change in stockholders, officers or directors for a corporation is required:
- a) Within 10 days of change(s)
 - b) Only when requested by the department
 - c) Prior to change(s)
 - d) Within 15 days of change(s)
68. An individual Bail agent's and a permittee's license may be applied for at the same time, on the same application. What bond is required:
- a) Bail Agent bond
 - b) Bail Solicitor bond
 - c) Bail Permittee bond
 - d) Both A and C
69. The Insurance Commissioner shall not suspend or revoke any license, without first granting a hearing, upon reasonable notice to the applicant, except that he may temporarily suspend any such license for a period not exceeding:
- a) 10 days
 - b) 15 days
 - c) 30 days
 - d) 90 days
70. If a bail solicitor is to work for two or more bail licensees who are members of a partnership:
- a) A separate Action Notice Statement from each employer and an additional filing fee for each is required
 - b) A bail solicitor may not work for a partnership
 - c) A separate Action Notice Statement from each partner is required
 - d) Only one Action Notice Statement is required
71. Any person actually detained or subject to detention in custody whose release may lawfully be effected by bail is defined as:
- a) Defendant
 - b) Bailee
 - c) Arrestee
 - d) Criminal
72. A Bail licensee may aid an attorney under what circumstances:
- a) Bail licensee may furnish forms for or aid an attorney in negotiating an assignment

- b) Bail licensee may upon release of collateral, honor an assignment to an attorney if the licensee took no part in the negotiation of such assignment
 - c) Bail licensee may accept, collect or transmit to an attorney any money or other item of value for attorney's fees
 - d) All of the above
73. The Insurance Commissioner may issue a temporary license to the executor or administrator of the estate of a deceased holder of a bail agent's license pending the disposal of the business for a period of:
- a) 6 months
 - b) 12 months
 - c) 18 months
 - d) 24 months
74. Select the most complete answer; When the court has declared a forfeiture of a bond, it went through a summary judgment against the bondsman...
- a) In the amount of which the bondsman is bound.
 - b) For twice the amount of which the bondsman is bound.
 - c) In the amount for which the bondsman is bound for plus cost, and notwithstanding any other law, no penalty assessment shall be levied or added to the judgment.
 - d) In the amount for which the bondsman is bound plus penalty assessment which will be determined by the court.
75. John Doe, a bail licensee, purchases a business of another bail licensee, which of the following must be true to entitle Mr. Doe to use the name used in the bail business by his predecessor? Select the most complete answer:
- a) The name used by the predecessor must be his true name and not a fictitious name.
 - b) The predecessor must have a bail license for two or more years.
 - c) The predecessor conducting business for more than two consecutive years before selling a business to John Doe.
 - d) A, B, and C are true.
76. A person licensed as a bail solicitor:
- a) May not at the same time be licensed as a bail permittee
 - b) May be licensed as a solicitor for each partner in the bail business
 - c) May not be an active member of the State Bar Association
 - d) A, B, and C are all true
77. A bail licensee shall complete a continuing education course annually prior to the renewal of his license that shall consist of: (Select the most complete answer)
- a) Not less than six hours of continuing education.
 - b) Not less than six hours of continuing education and a passing grade on a written exam.
 - c) Not less than twelve hours of continuing education.
 - d) Not less than six hours of classroom continuing education.
78. Every county clerk in California needs to know the names of the holders of the bail agent, bail permittee licenses and bail solicitors together with their license numbers, they obtain this information how;
- a) From each individual licensee by requesting the information from the Commissioner
 - b) Automatically from the Insurance Commissioner
 - c) From the licensee when they first post bail
 - d) A, B, and C are false
79. Before the court reduces bail below the amount established by the bail schedule approved for the county for a person charged with a serious felony, the court shall make a finding of unusual

circumstances and shall set forth those facts on the records. "Unusual circumstances" shall include such considerations as a fact that the defendant...(select the most complete response)

- a) Has no previous criminal record
- b) Has made all prior court appearances
- c) Has not committed any new offenses
- d) A, B, and C must all be considered

80. To issue a renewal bail license, the Insurance Commissioner requires proof of: (select the most complete answer)

- a) U.S. residency, completion of the continuing education requirement and a net worth of at least 10,000 dollars
- b) A current bail license, payment of the renewal fees and completion of the continuing education requirement
- c) Passing the bail exam, payment of the renewal fees and a good business and personal reputation
- d) A current bail license, payment of the renewal fees and at least 1,000 dollars commission earned during the past year

81. With regard to bail licensees, the Insurance Commissioner may;

- a) Suspend or revoke any bail license for any cause for which denies such license
- b) Not revoke a license without first granting a hearing upon reasonable notice to the applicant
- c) Temporarily suspend the license for up to 15 days pending a hearing
- d) A, B, and C are all true

82. The California Insurance Code;

- a) Prohibits the Insurance Commissioner from making rules for the enforcement of the insurance code
- b) Give the Insurance Commissioner the authority to make reasonable rules that are necessary and viable or convenient for the administration and enforcement of the penal code
- c) Prohibits cities and counties from enacting regulations concerning any subject covered in the bail section of the insurance code
- d) Gives the Insurance Commissioner the authority to make reasonable rules that are necessary, advisable, or convenient for the administration and enforcement of the insurance code

83. As used in the insurance regulations, bail or transaction of bail includes; (select the most complete answer)

- a) A bail bond
- b) A release by means of depositing cash or property and in lieu of giving bail
- c) An undertaking of bail
- d) A, B, and C are all included

84. A bail agent's brother was convicted of a felony several years ago, he was recently released and has come to live with the bail agent until he can get back on his feet, if the agent wants to keep his bail license he;

- a) Must disassociate himself entirely from his brother, otherwise he must turn in his bail license
- b) Should, if asked, deny his brother is staying with him
- c) May be successful if he can show good cause since the associate with a criminal record is his brother
- d) Must notify the Insurance Commissioner of the circumstances, since this is his brother the Insurance Commissioner is prohibited from taking any action

85. As used in the California Insurance Code, the term bail bond includes: (select the correct answer)
- a) Any contract not executed by a surety insurer for release of a person arrested on account of any alleged violation
 - b) Any contract not executed by a surety insurer for release of a person arrested on account of any alleged violation including and release by means of cash or other property deposited in lieu of bail
 - c) Any contract executed by a surety insurer for release of a person arrested on account of any alleged violation
 - d) A, B, and C are all bail bonds as defined by the California Insurance Code
86. The provision of law relating to unlawful rebates: (select the most correct answer)
- a) Shall not apply to commissions paid or exchanged between bail licensees
 - b) Shall apply to all commissions paid or exchanged in connection with bail transactions
 - c) Shall not apply to commissions paid or exchanged during bail transactions
 - d) Shall not apply to commissions paid or exchanged between bail transactions and insurance agents
87. Two or more bail agents or permittees desiring to transact bail as partners shall file with the commissioner the written statement required by Title 10 Section 2061.2 at least, how many days prior to so transacting: (select the correct answer)
- a) 5 days
 - b) 10 days
 - c) 30 days
 - d) 60 days
88. In a bail corporation, what percent of the stock/shares shall be held by licensed agents: (select the correct answer)
- a) 50%
 - b) 75%
 - c) 100%
 - d) None of the above
89. Who can be a bail agent: (select best complete answer)
- a) A natural person who has been in the United States lawfully for over three years
 - b) A person of good business reputation
 - c) A person with good general reputation
 - d) All of the above
90. Any person who has been arrested may be released on his or her own recognizance by a court or magistrate unless the following conditions exist: (select the correct answer)
- a) The defendant is charged with a capital offense.
 - b) Release will compromise public safety.
 - c) Defendant will not reasonably assure appearance as required
 - d) All of the above.
91. All surety companies which execute undertakings of bail shall keep any monies collected from licensed bail agents as buildup or reserve funds in segregated trust accounts within the state. The accounts shall be maintained in any of the following: (select the correct answer)
- a) A FDIC insured checking account, savings account, or certificate of deposit.

- b) United States government bonds and treasury certificates for which the faith of the United States is pledged for the payment of principal and interest.
 - c) Repurchase agreements collateralized by securities issued by the United States government.
 - d) All of the above are true.
92. Every bail licensee shall, at the time of obtaining the release of an arrestee on bail or immediately thereafter, deliver to such arrestee or, if negotiations concerning the bail were not with the arrestee, to the principal person with whom such negotiations were had, a numbered document containing the following information: (select the incorrect answer)
- a) The name of the surety insurer.
 - b) The name and address of the bail licensee.
 - c) The booking number.
 - d) The date, time and place of the arrestee's required appearance.
93. No bail licensee shall surrender an arrestee to custody prior to the time specified in the undertaking of bail or the bail bond for the appearance of the arrestee, or prior to any other occasion when the presence of the arrestee in court is lawfully required, without returning all premium paid for such undertaking or bond; except; (select the correct answer)
- a) Information was concealed or misrepresented by the arrestee.
 - b) As a result of judicial action.
 - c) Arrestee was surrendered at the request of the guarantor
 - d) All of the above are correct.
94. Business cards and other print advertisements distributed in this state by a bail licensee shall prominently affix, type, or cause to be printed must contain the following information:
- a) Bail license number in type the same size as any indicated telephone number, address, or fax number.
 - b) Licensee name in type the same size as any indicated telephone number, address, or fax number.
 - c) Rate charged in type the same size as any indicated telephone number, address, or fax number.
 - d) All of the above are correct.
95. An arrestee may be released under an own recognizance when a signed release agreement with the following conditions is filed with the clerk of the county or other person authorized to accept bail: (select the most complete answer)
- a) An acknowledgement that he or she has been informed of the consequences and penalties applicable to violation of the conditions of release.
 - b) A promise to appear at all times and places as ordered by the court or magistrate, to obey all reasonable conditions imposed by the court or magistrate, and a promise not to depart this state without leave of the court.
 - c) An agreement by the defendant to waive extradition.
 - d) An acknowledgement that a background search will be conducted.
96. Any collateral received shall be returned to the person who deposited it with the bail licensee or to any assignee of such person, other than the bail licensee or his representative; (select the most correct answer)
- a) As soon as the bail licensee is advised that the bond has been exonerated and all premiums are paid.
 - b) Within thirty days from the bond exoneration.
 - c) As soon as the bail licensee is advised that the bond has been exonerated.
 - d) Immediately upon written notice from the defendant.

97. A defendant shall not be released from custody under an own recognizance until the defendant files with the clerk of the county or other person authorized to accept bail a signed release agreement which includes: (select the most incorrect answer)
- A promise not to depart the county without leave of the court or magistrate.
 - A promise to appear at most times and places, as ordered by the court or magistrate.
 - A promise to pay 10% of the bond amount.
 - A promise to obey all reasonable conditions imposed by the court or magistrate.
98. No person, other than a certified law enforcement officer, shall be authorized to apprehend, detain, or arrest a bail fugitive unless that person meets the following conditions; (select the correct answer)
- Is licensed as a private investigator.
 - Holds a valid bail license issued by a state other than California.
 - Holds a valid California bail license issued prior to January 1, 2000.
 - All of the above are true.
99. If a defendant is arrested without a warrant for a bailable felony offense, how may the defendant request release on a bail lower than that provided in the bail schedule;
- The defendant, either personally or through his or her attorney may make an application to the magistrate.
 - The defendant, either personally or through his or her family member may make an application to the magistrate.
 - The defendant, either personally or through his or her friend may make an application to the magistrate.
 - All of the above are true.
100. Agents licensed after January 1, 2000 and engage in the arrest of a defendant shall; (select the most correct answer)
- Have completed a 30-hour power to arrest course certified by Peace Officer's Standard Training (POST).
 - Have certificates for completion within him or her at all times in the course of performing their duties.
 - Have not been arrested for a felony.
 - Have completed a firearms course and has a permit to carry a weapon.
101. At anytime before the forfeiture of an undertaking, the bail agent may surrender the defendant to custody. In making the surrender, the bail agent;
- May provide to the officer of the court, an affidavit given to the agent by the surety company listing all the specific information that would be indicated on a certified copy of the undertaking of bail.
 - May make a reasonable effort to give notice to the defendant's last attorney on record.
 - May be ordered to return the premium paid by the defendant or Indemnitor.
 - All of the above are true.
102. An undertaking of bail shall contain the following information: (select the incorrect answer)
- Name of the Surety insurer.
 - The offenses with which the arrestee is charged.
 - Name of the County where the defendant was arrested.
 - The premium or the charge of the bail bond.
103. How are fiduciary funds kept?
- In an account separate from a bail agents' personal assets.
 - In a savings account.
 - In a non-interest bearing account.

- d) All of the above are correct.
104. In the case of a permanent disability of a defendant, the court shall direct the order of forfeiture to be vacated and bail exonerated: (select the most correct answer)
- If the defendant is without the connivance of the bail and the defendant is detained by military authorities.
 - If the defendant is permanently disabled due to insanity.
 - If the defendant is deceased.
 - If the defendant is without the connivance of the bail.
105. A disclosure for a bail bond secured by a lien against real property must be: (select the incorrect answer)
- A clear and conspicuous statement on the face of the application for bail.
 - Must be typed in a 12-point bold font.
 - Given to the property owner prior to the execution of the lien.
 - Must include the statement "Do not sign this document until you read and understand it".
106. The undertaking of bail must include the following: (select the most correct answer)
- Bail Agent license number of the owner of the bail agency.
 - Name, address and telephone number of the bail agency.
 - Sub-Agent license number, Surety Company address and telephone number.
 - a and b
107. Compensating any person incarcerated in a jail or other place of detention for the purpose of that person soliciting bail on behalf of the bail agent is: (select the most correct answer)
- a felony
 - a misdemeanor
 - an infraction
 - a good marketing strategy
108. You have not taken the state bail exam yet, and therefore are not yet licensed. Your employer asks you to answer the phones and cover the office while he is out for a couple of hours. While he is out, a senior citizen walks in and needs you to bail out her grandson. You take the application, verify the information and go with her to the jail to post the bond. Because you processed the transaction, you are guilty of: (select the most incorrect answer)
- Being a helpful employee.
 - A misdemeanor punishable by a fine not to exceed \$50,000.
 - A misdemeanor punishable by imprisonment in a county jail for a period not exceeding one year.
 - A misdemeanor punishable by both a fine and imprisonment.
109. While on vacation in New York, you were arrested and convicted of possession of a controlled substance. The charges were reduced to a misdemeanor. Since the conviction changes the background information you provided the California Department of Insurance, are you required to notify CDI as the conviction was in New York? (select the correct answer)
- No, it happened in New York and you're already licensed. The commissioner doesn't need to know.
 - Yes, notification must be sent to the commissioner in writing within 30 days of change.
 - Yes, notification must be sent to the commissioner in writing within 60 days of change.
 - No, you are appealing the conviction.

110. Your bail bond agency has developed a new advertising campaign and will be issuing new business cards to your agents. What must be included on all your new business cards, brochures and yellow page ads?: (select the correct answer)
- a) the words "Bail Agent"
 - b) the words "Surety Bond"
 - c) the word "Insurance"
 - d) the word "Bonded"
111. Any person provided written authorization by the bail or depositor of bail, and is contracted to surveil, locate, and arrest a bail fugitive for surrender to the appropriate court, jail, or police department must be: (select the incorrect answer)
- a) At least 18 years of age
 - b) Not have been convicted of a felony
 - c) Must be a licensed private investigator or have completed three courses specified by Penal Code §1299-§1299.14.
 - d) Must have a high school diploma or completed their GED
112. License applicants who willfully cheat or subvert a license examination will be in violation of the law as per section 1681.5 of the California Insurance Code and are punishable by a fine not to exceed: (select the correct answer)
- a) \$10,000.00 or imprisonment not to exceed one year
 - b) \$ 1,000.00 or imprisonment not to exceed six months
 - c) \$ 5,000.00 or imprisonment not to exceed one year
 - d) \$10,000.00 or imprisonment not to exceed six months
113. The Insurance Commission is authorized under section 1736.5 of the California Insurance Code to impose discipline against a Bail Agent who fails to promptly reply to inquiries from the Commission relating to any of the following matters: (select the incorrect answer)
- a) An application for, or the retention or renewal of a license,
 - b) Bail Agent changing appointed Surety company,
 - c) Investigation relating to a consumer complaint,
 - d) Bail Agent not reporting a background change
114. The Insurance Commissioner can bar a bail applicant caught willfully cheating on the bail examination from taking any license examination and from holding an active license under any provision of California Insurance Code section 1681.5 for a period of: (select the correct answer)
- a) One year
 - b) Forever
 - c) Three years
 - d) Five years
115. Some offenses that constitute cheating on the license examination which are punishable by a fine or imprisonment are: (select the correct answer)
- a) Using false identification for admittance to examination
 - b) Reviewing study material in the restroom during the course of the examination
 - c) Any contact with another individual during a restroom or drink break
 - d) All of the above
116. Before apprehending a bail fugitive, a certified Bail Fugitive Recovery Person shall have in his or her possession: (select the incorrect answer)
- a) Proper documentation of authority to apprehend the bail fugitive issued by the bail or depositor of bail,
 - b) Certificates of Completion as per California Penal Code section 1299.04

- c) Bail Enforcement Agent badge and identification card
- d) All of the above

117. Any Bail Fugitive Recovery Agent who violates the Fugitive Recovery Persons Act, or who conspires with another person to violate this act, or who hires an individual to apprehend a bail fugitive, knowing that the individual is not certified is guilty of: (select the correct answer)
- a) A felony punishable by a fine of ten thousand dollars or by imprisonment not to exceed five years, or both that of imprisonment and fine.
 - b) A misdemeanor punishable by a fine of five thousand dollars or by imprisonment in the county jail not to exceed one year, or both that of imprisonment and fine.
 - c) A misdemeanor punishable by a citation and a fine of one thousand dollars
 - d) Not guilty of any wrong doing, just misunderstood.
118. Except under exigent circumstances, an individual authorized to apprehend a bail fugitive shall notify the local police department or sheriff's department of the intent to apprehend a bail fugitive in that jurisdiction; (select the correct answer)
- a) Prior to and at least eight hours before attempting to apprehend the bail fugitive,
 - b) Prior to and no more than six hours before attempting to apprehend the bail fugitive,
 - c) Prior to and no more than three days before attempting to apprehend the bail fugitive,
 - d) None of the above
119. The authority to apprehend document shall include what information: (select the correct answer)
- a) Principal business address of the bail agency, surety company, or other party contracting the individual authorized to apprehend a bail fugitive.
 - b) Name of the individual and any fictitious name, if applicable, of the individual authorized to apprehend a bail fugitive,
 - c) The address of the principal office of the individual authorized to apprehend a bail fugitive
 - d) All of the above
120. If collateral was deposited to secure the obligation of a bond, it shall be returned to the person who deposited it: (select the correct answer)
- a) Within thirty days of entry of any order by an authorized official by virtue of which liability under the bond is terminated (exonerated).
 - b) Immediately upon the entry of any order by an authorized official by virtue of which liability under the bond is terminated (exonerated).
 - c) Whenever the person who made the deposit of collateral requests the return of collateral in writing.
 - d) Within sixty days of entry of any order by an authorized official by virtue of which liability under the bond is terminated (exonerated).
121. No person who is arrested for a new offense may be released on his or her own recognizance until a hearing is held in open court before the magistrate or judge if: (select the correct answer)
- a) The person is currently on felony probation or felony parole.
 - b) The person has failed to appear in court as ordered, resulting in a warrant being issued, three or more times over the three years preceding the current arrest and who is arrested for any offense in which the person is alleged to have been armed.
 - c) The person has failed to appear in court as ordered, resulting in a warrant being issued, three or more times over the three years preceding the current arrest and who is arrest for any violation of the California Street Terrorism Enforcement and Prevention Act.
 - d) All of the above
122. Admission to bail is the _____ (finish the sentence)
- a) ...act of posting the power of attorney with the booking officer.
 - b) ...order of a law enforcement officer that the defendant be discharged.

- c) ...order of a competent court or magistrate that the defendant be discharged from actual custody upon bail.
- d) ...responsibility of a reliable, licensed bail agent.

123. The commissioner shall certify the names of holders of bail agents' and bail permittees' licenses and their solicitors to every county clerk of the state, together with their license numbers and any other information in respect to the persons as he or she considers advisable. The county clerk shall retain these records for a period of: (select the correct answer)

- a) 2 years
- b) 5 years
- c) 7 years
- d) 10 years

124. Every licensee and applicant shall promptly reply in writing to an inquiry from the commissioner relative to an application for, or the retention or renewal of, a license, or an investigation relating to a consumer complaint or a matter relating to a producer licensing background change reporting requirement.

Promptly reply means to provide a written response to the inquiry that is received by the commissioner no later than _____ after the date in inquiry was mailed or otherwise communicated to the applicant or licensee. (fill in the blank)

- a) 30 days
- b) 21 days
- c) 60 days
- d) 180 days

125. No bail licensee shall pay or allow in any manner, directly or indirectly, to any person who is not also a bail licensee any commission or other valuable consideration on or in connection with a bail transaction. Payments may be made by a bail licensee to an unlicensed person to reimburse for actual, necessary and reasonable expenses incurred in connection with the individual bail transaction for: (select the correct answer)

- a) Guard fees after the first 12 hours following release of an arrestee on bail.
- b) Reimbursement for actual reasonable and necessary expenses incurred and caused by a breach by the arrestee of any of the terms of the written agreement under which and pursuant to which the undertaking of bail or the bail bond was written.
- c) Notary fees, recording fees, travel expenses and verification of collateral outside of the county where the bail was arranged.
- d) all of the above

126. All funds received by any person acting as a bail agent as premium on an undertaking of bail, are received and held by such person in his/her fiduciary capacity. Any bail agent who diverts or appropriates such fiduciary funds to his/her own use is guilty of _____ (fill-in the blank).

- a) poor bookkeeping
- b) theft
- c) a felony
- d) a misdemeanor

127. If a bail licensee receives any document which conveys title of real property as collateral, such document shall state on its face _____ (fill-in the blank).

- a) that it is executed as part of a security transaction.
- b) the name of the bail agent and his/her license number.
- c) the name and address of the Surety company.
- d) that it is executed as part of an undertaking of bail transaction.

128. How should a bail permittee inform the insurance commissioner of a change in the schedule of charges? (select the correct answer)

- a) A bail permittee is not required to inform the insurance commissioner of a change in the schedule of charges.
- b) The bail permittee must file with the insurance commissioner any change in the schedule of charges at least five days prior to the effective date.
- c) The bail permittee must file with the insurance commissioner any change in the schedule of charges at least fifteen days prior to effective date.
- d) None of the above.

129. Personal or privileged information about an individual collected or received in connection with an insurance transaction shall not be disclosed, unless the disclosure is: (select the correct answer)

- a) The disclosure is with the written authorization of the individual and if the authorization is submitted by another insurance institution.
- b) The disclosure is to an agent to detect or prevent criminal activity, fraud, material misrepresentation or material nondisclosure in connection with insurance transactions.
- c) The disclosure is to a law enforcement or other governmental authority pursuant to law.
- d) All of the above.

130. A bench warrant of arrest may be issued whenever a defendant fails to appear in court as required by law including, but not limited to, the following situations: (select the incorrect answer)

- a) If the defendant is ordered by the judge or magistrate to personally appear in court at a specific time and place.
- b) If the defendant is asked by the judge or bail agent to personally appear in court at a specific time and place.
- c) If the defendant is authorized to appear by counsel and the court or magistrate orders that the defendant personally appear in court at a specific time and place.
- d) If an indictment has been filed in superior court and the court has fixed the date and place for the defendant personally to appear for arraignment.