

Your Exam Content Outline

The following outline describes the content of one of the Ohio 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.

Ohio Agent's Examination for Surety Bail Bonds Series 11-42

100 questions - 2-hour time limit
Effective- June 25th, 2015

1.0 Insurance Regulation 25%

1.1 Licensing

- Director's general duties and powers (3901.011, .04, .041; 3905.12)
 - Process (3905.85)
 - License requirements (3905.02, 3905.84, .841, .85)
 - Resident qualifications (3905.85)
 - Non-resident qualifications (3905.07, .841, .85)
 - Requirements
 - Build up funds (3905.91(A))
 - Agent appointment/termination (3905.20, .21, .86; 3901-1-10; 3901-5-09)
 - Initial restriction regarding executing and delivering bonds (3905.85(C))
 - Maintenance and duration (3905.85(F)(1))
 - Change in name, address, telephone number (3905.061, .071, .89; 3901-5-09)
 - Assumed business name (3905.11)
 - License renewals (3901-5-09 (J); 3905.85(F))
 - Duty to report criminal convictions and administrative disciplinary actions (3905.22)
 - Continuing education (3905.88; 3901-5-01)
 - Disciplinary actions
 - Failure to pay taxes (3905.14 (B)(14))
 - Failure to appear for an interview (3905.14(B)(22))
 - Failure to provide department with a written response (3905.14(B)(21))
 - Cease and desist order (3901.221; 3905.14(G); 3901.22(D))
 - License suspension, revocation, or refusal to issue or renew (3901.22(D)(1); 3905.14, .94; 3901-5-12)
 - Penalties for violations (3905.14, .99; 2927.27(C))
- #### 1.2 Agent regulation
- Record maintenance and examination (3905.90)
 - Prohibited conduct
 - Solicitation on grounds of courthouse or detention facility (3901-1-66(I); 3905.932(B))

- Practice of law (3905.932(H))
 - Referral of attorney (3905.932(A))
 - Signing bond in blank (3905.931(A), .933(A))
 - Solicit without license (3905.84)
 - Surety Bail Bond Agent Conduct (3901-1-66)
 - Unfair and prohibited practices (3901.20, .21; 3901-1-07)
 - Misrepresentation (3901.21(A); 3905.14(B)(5); 3999.08)
 - False advertising (3901.21(B); 3905.43-3905.934, 3999.10)
 - Defamation of insurer (3901.21(C); 3999.09)
 - Charges, fee, refunds and rebates (3905.14(B)(32), 3905.93, .932(D),(F), .933(B))
- #### 1.3 Federal regulation
- Fair Credit Reporting Act (15 USC 1681–1681d)
 - Fraud and false statements (18 USC 1033, 1034)

2.0 The Legal Framework 35%

2.1 Authority

- Express
- Implied
- Apparent

2.2 Contracts

- Elements of a legal contract
 - Offer and acceptance
 - Consideration
 - Competent parties
 - Legal purpose
- Classifications of contracts
 - Formal and informal
 - Unilateral and bilateral
 - Executory and executed contracts
 - Express and implied
- Concealment
- Fraud

2.3 Court jurisdictions

- Original jurisdiction
 - Territorial
 - Subject-matter
 - Personal
- Appellate jurisdiction

2.4 Terminology

- Acquit
- Adjudicate
- Capital offense
- Conviction
- Custody

- Defendant
- Disposition
- Extradition
- Felony
- Fugitive
- Hearing
- Incarceration
- Indictment
- Misdemeanor
- Recognizance
- Revoke
- Suspend
- Warrant
- Writ

- Revocation of bail

3.6 Release of surety

3.7 Surrender of principal (defendant)

- Exoneration of bond
- Return of collateral

3.8 Bond forfeiture

- Motion
- Notice to defendant and sureties
- Judgment
- Dispersal of funds
- Time limits for appeal
- Arrest after forfeiture

3.0 Bail Bond Principles and Practices 40%

3.1 Parties to a surety bond

- Principal
 - Indemnitor for principal
 - Indemnity agreement
- Obligee
- Surety

3.2 Duties of surety bail bond agent

- Power of attorney (3905.931(A))
- Duty to register (3905.87)
- Collateral and trust obligations (3905.92)
- Build-up funds (3905.91)
- Duties when apprehending fugitives
 - Written contract (2927.27(A)(2))
 - Duty to notify law enforcement (2927.27(A)(3))
 - Prohibition of representation as bounty hunter (2927.27(B))

3.3 Types of bonds

- Personal surety bond
- Corporate surety bond
- Criminal defendant bonds
 - Bail
 - Appeal
 - Habeas corpus
 - Property bond
 - Nonsurety/cash (3905.932(G); 3901-1-66(c)(1))

3.4 Procedure

- Application for bond (surety/defendant contract)
- Collateral security
- Surety contract
- Posting the bond
- Informational notice

3.5 Court procedures

- Court appearances
 - Arraignment
 - Trial
 - Appeal
- Conditions of release
 - Prior to trial
 - Pending appeal
- Failure to appear