§ 2312. Immigration bond premium. (a) The premium for giving an immigration bond or depositing money or property as immigration bail in any court having immigration jurisdiction or in any immigration action or proceeding shall not exceed ten per centum of the amount of such bond or deposit in actions where such bonds or deposits do not exceed the sum of three thousand dollars. Where such bonds or deposits exceed the sum of three thousand dollars, the premium shall not exceed ten per centum of the first three thousand dollars and eight per centum of the excess amount over three thousand dollars up to ten thousand dollars and six per centum of the excess amount over ten thousand dollars.

(b) No person, firm, corporation, or other entity, including an insurance producer, shall:

(1) charge, collect, or receive, directly or indirectly, any fee or compensation in connection with an immigration bail deposit or immigration bond, other than the premium based on rates subject to the maximum specified in subsection (a) of this section and filed with the superintendent by the insurer pursuant to this article, notwithstanding subsection (c) of section two thousand one hundred nineteen of this chapter; or

(2) accept any fee or compensation for obtaining a license or for obtaining an insurance producer or immigration bond or for an immigration bail deposit.

(c) Any person, firm, corporation, or other entity that violates this section shall be guilty of a misdemeanor. An indemnitor may maintain a cause of action in a court of competent jurisdiction against any person, firm, corporation, or other entity to recover any fee or compensation in excess of the amount authorized pursuant to this section. The person, firm, corporation, or other entity shall, in any action brought by an indemnitor to recover any such overcharge, be liable for treble damages.

(d) Any agreement, or portion thereof, entered into requiring the waiving of the requirements of this section or otherwise in violation of this section shall be void and unenforceable.