By: Canales

<div align="right">H.B. No. 2448</div>

A BILL TO BE ENTITLED

1   AN ACT

2   relating to the verification of the incarceration of an accused

3   person in a criminal case for the purpose of discharging a surety's

4   liability on a bail bond.

5   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6   SECTION 1. Article 17.16(a), Code of Criminal Procedure, is

7   amended to read as follows:

8   (a) A surety may before forfeiture relieve the surety of the

9   surety's undertaking by:

10   (1) surrendering the accused into the custody of the

11   sheriff of the county where the prosecution is pending; or

12   (2) delivering to the sheriff of the county in which

13   the prosecution is pending and to the office of the prosecuting

14   attorney an affidavit stating that the accused is incarcerated in:

15   (A) federal custody[, subject to Subsection

16   (a-1)];

17   (B) the custody of any state; or

18   (C) any county of this state.

19   SECTION 2. Article 17.16(a-1), Code of Criminal Procedure,

20   is repealed.

21   SECTION 3. Article 17.16, Code of Criminal Procedure, as

22   amended by this Act, applies only to a bail bond that is executed on

23   or after the effective date of this Act. A bail bond executed

24   before the effective date of this Act is governed by the law in

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1 effect on the date the bail bond was executed, and the former law is

2 continued in effect for that purpose.

3   SECTION 4. This Act takes effect September 1, 2021.