

By: Hinojosa

H.B. No. 4293

A BILL TO BE ENTITLED

AN ACT

relating to the creation of a court reminder program for criminal defendants.

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

SECTION 1. Chapter 75, Government Code, is amended by adding Subchapter J to read as follows:

SUBCHAPTER J. COURT REMINDER PROGRAM

Sec. 75.601. ESTABLISHMENT OF STATE PROGRAM FOR PARTICIPATING COUNTIES. (a) The Office of Court Administration of the Texas Judicial System shall develop and make available to each county a court reminder program that allows the county to send a text message to notify criminal defendants of scheduled court appearances. The purposes of the program must include:

(1) reducing costs associated with defendants who fail to appear for a scheduled court appearance;

(2) improving the efficiency of courts in this state;

(3) reminding criminal defendants to appear at each scheduled court appearance; and

(4) reducing the number of criminal defendants who are confined in a county jail due solely to the defendant's failure to appear for a scheduled court appearance.

(b) The program must:

(1) be available to each county at no cost;

(2) comply with applicable state and federal laws

1 requiring the consent of an individual before sending a reminder by
2 text message;

3 (3) provide text message reminders for each court
4 appearance of a defendant who has access to a device with the
5 technological capability of receiving text messages and provides
6 the court administrator with an operational phone number for the
7 device;

8 (4) document each occurrence of a criminal defendant
9 receiving a text message reminder;

10 (5) identify criminal defendants with scheduled court
11 appearances who lack access to devices with the technological
12 capability of receiving text messages;

13 (6) document the number of criminal defendants who
14 fail to appear at scheduled court appearances after being sent one
15 or more text message reminders;

16 (7) include the technological capability, at the
17 discretion of the local administrative judge, to provide additional
18 information to criminal defendants concerning scheduled court
19 appearances, such as the location of the court appearance,
20 available transportation options, and procedures for defendants
21 who are unable to attend court appearances;

22 (8) support partnerships with local law enforcement
23 agencies, local governments, and local public defenders in
24 accordance with the purposes described by Subsection (a); and

25 (9) provide one or more publicly available Internet
26 websites through which criminal defendants may request text
27 reminders.

1 Sec. 75.602. ESTABLISHMENT OF COUNTY PROGRAMS. (a) The
2 judges of the county courts, statutory county courts, and district
3 courts with jurisdiction over criminal cases in each county shall
4 establish a court reminder program that allows the county to send a
5 text message to notify criminal defendants of scheduled court
6 appearances.

7 (b) In developing the court reminder program, the judges may
8 join the state program developed under Section 75.601 or develop a
9 county program that allows the county to send text message
10 notifications to criminal defendants and that complies with the
11 requirements of Section 75.601(b).

12 Sec. 75.603. MUNICIPAL PROGRAM. (a) The Office of Court
13 Administration of the Texas Judicial System, or the judges of the
14 county courts, statutory county courts, and district courts with
15 jurisdiction over criminal cases in each county, may partner with
16 municipalities and local law enforcement agencies to allow:

17 (1) individuals to whom a peace officer issues a
18 citation and releases to receive text message reminders of
19 scheduled court appearances; and

20 (2) criminal defendants in municipal court to receive
21 text message reminders of scheduled court appearances.

22 (b) Any municipality that partners with the Office of Court
23 Administration of the Texas Judicial System shall pay all costs of
24 sending reminders to municipal criminal defendants, including the
25 costs of linking the municipal court database with the state court
26 administrator database.

27 SECTION 2. Not later than September 1, 2022, the Office of

1 Court Administration of the Texas Judicial System and the judges of
2 the county courts, statutory county courts, and district courts
3 with jurisdiction over criminal cases in each county shall develop
4 and make available the court reminder program as required by
5 Subchapter J, Chapter 75, Government Code, as added by this Act.

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