

By: Miles

S.B. No. 1893

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the release on bail of a person charged with a violation
3 of parole or mandatory supervision.

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

5 SECTION 1. Sections 508.254(d) and (e), Government Code,
6 are amended to read as follows:

7 (d) A magistrate of the county in which the person is held in
8 custody may release the person on bond pending the hearing if:

9 (1) the person is arrested or held in custody:

10 (A) only on a charge that the person committed an
11 administrative violation of release and [↗

12 [~~↘~~] the division, in accordance with Subsection (e),
13 included notice on the warrant for the person's arrest that the
14 person is eligible for release on bond; or

15 (B) on a charge that the person violated a
16 condition of release by committing a new offense punishable as a
17 Class C misdemeanor for which the person is eligible for release on
18 bond and no other offense; and

19 (2) [~~(3)~~] the magistrate determines that the person is
20 not a threat to public safety.

21 (e) The division shall include a notice on the warrant for
22 the person's arrest indicating that the person is eligible for
23 release on bond under Subsection (d)(1)(A) [~~(d)~~] if the division
24 determines that the person:

1 (1) has not been previously convicted of:

2 (A) an offense under Chapter 29, Penal Code;

3 (B) an offense under Title 5, Penal Code,
4 punishable as a felony; or

5 (C) an offense involving family violence, as
6 defined by Section 71.004, Family Code;

7 (2) is not on intensive supervision or super-intensive
8 supervision;

9 (3) is not an absconder; and

10 (4) is not a threat to public safety.

11 SECTION 2. The change in law made by this Act applies only
12 to a person who is arrested on or after the effective date of this
13 Act. A person arrested before the effective date of this Act is
14 governed by the law in effect on the date the person was arrested,
15 and the former law is continued in effect for that purpose.

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