

By: Whitmire, Creighton

S.B. No. 1151

A BILL TO BE ENTITLED

AN ACT

relating to the authority of corporations to act as sureties on bail bonds.

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

SECTION 1. Article 17.06, Code of Criminal Procedure, is amended to read as follows:

Art. 17.06. CORPORATION AS SURETY. (a) In ~~[Wherever in]~~ this chapter ~~[Chapter]~~, if a ~~[any]~~ person is required or authorized to give or execute a ~~[any]~~ bail bond, the ~~[such]~~ bail bond may be given or executed by the ~~[such]~~ principal and a ~~[any]~~ corporation authorized by law to act as surety, subject to all applicable ~~[the]~~ provisions of this chapter ~~[Chapter]~~ regulating and governing the giving of bail bonds by personal surety ~~[insofar as the same is applicable]~~.

(b) Before executing a bail bond for the release of a defendant, a corporation acting as surety, or the agent executing the bail bond on behalf of the corporation acting as surety, shall:

(1) collect a premium of not less than 10 percent of the total surety bond amount; and

(2) submit to the sheriff of the county in which the prosecution is pending a sworn affidavit that confirms payment of the premium and identifies:

(A) the amount paid for the premium;

(B) the method of payment for the premium,

1 including cash, a type of cash equivalent, a property transfer, a  
2 property lien, or another method; and

3 (C) the person who paid the premium.

4 SECTION 2. Article 17.06, Code of Criminal Procedure, as  
5 amended by this Act, applies only to a bail bond executed on or  
6 after the effective date of this Act. A bail bond executed before  
7 the effective date of this Act is governed by the law in effect on  
8 the date the bail bond was executed, and the former law is continued  
9 in effect for that purpose.

10 SECTION 3. This Act takes effect September 1, 2023.