

By: Moody

H.B. No. 799

A BILL TO BE ENTITLED

AN ACT

relating to the release on personal bond of certain defendants charged with a misdemeanor or state jail felony.

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

SECTION 1. Article 17.03(a), Code of Criminal Procedure, is amended to read as follows:

(a) Except as otherwise provided by this chapter [~~Subsection (b) or (b-1)~~], a magistrate may, in the magistrate's discretion, release the defendant on personal bond without sureties or other security.

SECTION 2. Chapter 17, Code of Criminal Procedure, is amended by adding Article 17.034 to read as follows:

Art. 17.034. RELEASE ON PERSONAL BOND OF CERTAIN DEFENDANTS CHARGED WITH MISDEMEANOR OR STATE JAIL FELONY. Notwithstanding Article 17.03(b), or a bond schedule adopted or a standing order entered by a judge, a magistrate shall release a defendant charged with a misdemeanor or state jail felony on personal bond unless the release on personal bond is otherwise prohibited by law or the magistrate makes a finding that no nonmonetary conditions of release are sufficient to reasonably ensure:

(1) the defendant's appearance in court as required;
and

(2) the safety of the community, law enforcement, and the victim of the alleged offense.

1 SECTION 3. The change in law made by this Act applies only
2 to a person who is arrested on or after the effective date of this
3 Act. A person arrested before the effective date of this Act is
4 governed by the law in effect on the date the person was arrested,
5 and the former law is continued in effect for that purpose.

6 SECTION 4. This Act takes effect September 1, 2025.