

By: Anchía, Cook, Little, Plesa, et al.

H.B. No. 2697

A BILL TO BE ENTITLED

AN ACT

relating to certain procedures in connection with a bond forfeiture.

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

SECTION 1. Article 17.19, Code of Criminal Procedure, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) Subject to Subsection (a-1), a ~~[Any]~~ surety that wants ~~[desiring]~~ to surrender the surety's ~~[his]~~ principal and has notified ~~[after notifying]~~ the principal's attorney, if the principal is represented by an attorney, in a manner provided by Rule 21a, Texas Rules of Civil Procedure, of the surety's intention to surrender the principal, may file an affidavit of that ~~[such]~~ intention before the court or magistrate before which the prosecution is pending. The affidavit must state:

(1) the court and cause number of the case;

(2) the name of the defendant;

(3) the offense with which the defendant is charged;

(4) the date of the bond;

(5) the cause for the surrender; and

(6) that notice of the surety's intention to surrender the principal has been given as required by this subsection and Subsection (a-1), if applicable.

(a-1) If the offense with which the defendant is charged is

classified as a felony under the Penal Code, in addition to  
satisfying the requirements provided by Subsection (a), a surety  
must, before filing the affidavit described by that subsection,  
notify the attorney representing the state with jurisdiction in the  
case of the surety's intention to surrender the principal.

SECTION 2. This Act takes effect September 1, 2025.