

By: Anchía, Cook

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

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

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