

AN ACT

relating to the confinement or release of defendants before trial or sentencing, including regulating charitable bail organizations, and the conditions of and procedures for setting bail and reviewing bail decisions.

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

SECTION 1. Chapter 16, Code of Criminal Procedure, is amended by adding Article 16.24 to read as follows:

Art. 16.24. REPORTING OF CONDITIONS OF PRETRIAL INTERVENTION PROGRAM. As soon as practicable but not later than the 10th business day after the date a defendant enters a pretrial intervention program, the attorney representing the state, or the attorney's designee who is responsible for monitoring the defendant's compliance with the conditions of the program, shall enter information relating to the conditions of the program into the appropriate database of the statewide law enforcement information system maintained by the Department of Public Safety or modify or remove information, as appropriate.

SECTION 2. Article 17.021, Code of Criminal Procedure, is amended by amending Subsection (b) and adding Subsections (c-1), (h), (h-1), and (i) to read as follows:

(b) The public safety report system must:

(1) state the requirements for setting bail under Article 17.15 and list each factor provided by Article 17.15(a);

1 (2) provide the defendant's name and date of birth or,
2 if impracticable, other identifying information, the cause number
3 of the case, if available, and the offense for which the defendant
4 was arrested;

5 (3) provide information on the eligibility of the
6 defendant for a personal bond;

7 (4) provide information regarding the applicability
8 of any required or discretionary bond conditions;

9 (5) provide, in summary form, the criminal history of
10 the defendant, including information regarding [~~any~~]:

11 (A) previous misdemeanor or felony convictions;

12 (B) pending charges;

13 (C) any previous sentences imposing a term of
14 confinement;

15 (D) any previous convictions or pending charges
16 for:

17 (i) offenses that are offenses involving
18 violence as defined by Article 17.03; or

19 (ii) offenses involving violence directed
20 against a peace officer; [~~and~~]

21 (E) previous failures of the defendant to appear
22 in court following release on bail;

23 (F) whether the defendant is currently on
24 community supervision, parole, or mandatory supervision for an
25 offense;

26 (G) whether the defendant is currently released
27 on bail or participating in a pretrial intervention program and any

1 conditions of that release or participation;

2 (H) outstanding warrants for the defendant's
3 arrest that have been entered into the National Crime Information
4 Center database or the Texas Crime Information System established
5 under Section 411.0541, Government Code, including a warrant issued
6 under Article 42A.751 of this code or Section 508.251, Government
7 Code; and

8 (I) any current protective orders, as defined by
9 Section 72.151, Government Code, for which the defendant is the
10 subject; and

11 (6) be designed to collect and maintain the
12 information provided on a bail form submitted under Section 72.038,
13 Government Code.

14 (c-1) On request by an attorney representing the state, the
15 office shall provide to the attorney access to the public safety
16 report system for the purpose of allowing the attorney to access a
17 bail form submitted to the office under Section 72.038, Government
18 Code.

19 (h) The public safety report system must be configured to
20 allow a county or municipality to integrate the jail records
21 management system and case management systems used by the county
22 with the public safety report system.

23 (h-1) The office may provide grants to reimburse counties
24 and municipalities for costs related to integrating the systems
25 described by Subsection (h). The office is not required to provide
26 a grant under this subsection unless the office is appropriated
27 money for that purpose. This subsection expires August 31, 2027.

1 (i) The office may modify the public safety report system to
2 incorporate technological advances to the system's features
3 regarding notices and to any other processes the office determines
4 will enhance the system's availability to protect the public.

5 SECTION 3. Article 17.022, Code of Criminal Procedure, is
6 amended by adding Subsection (g) to read as follows:

7 (g) In the manner described by this article, a magistrate
8 may order, prepare, or consider a public safety report in setting
9 bail for a defendant who is not in custody at the time the report is
10 ordered, prepared, or considered.

11 SECTION 4. The heading to Article 17.027, Code of Criminal
12 Procedure, is amended to read as follows:

13 Art. 17.027. RELEASE ON BAIL OF DEFENDANT CHARGED WITH
14 FELONY OFFENSE [~~COMMITTED WHILE ON BAIL~~].

15 SECTION 5. Article 17.027, Code of Criminal Procedure, is
16 amended by amending Subsection (a) and adding Subsections (a-1),
17 (a-2), (a-3), (c), and (d) to read as follows:

18 (a) Notwithstanding any other law:

19 (1) if a defendant is taken before a magistrate for
20 [~~charged with~~] committing an offense punishable as a felony while
21 released on bail [~~in a pending case~~] for another offense punishable
22 as a felony and the subsequent offense was committed in the same
23 county as the previous offense, the defendant may be released on
24 bail only by:

25 (A) the court before whom the case for the
26 previous offense is pending; or

27 (B) another court designated in writing by the

1 court described by Paragraph (A); and

2 (2) if a defendant is taken before a magistrate for
3 ~~[charged with]~~ committing an offense punishable as a felony while
4 released on bail for another ~~[pending]~~ offense punishable as a
5 felony and the subsequent offense was committed in a different
6 county than the previous offense, electronic notice of the charge
7 must be ~~[promptly]~~ given to the individual designated to receive
8 electronic notices for the county in which the previous offense was
9 committed, not later than the next business day after the date the
10 defendant is taken before the magistrate, for purposes of the court
11 specified by Subdivision (1) [for purposes of reevaluating the bail
12 decision,] determining whether any bail conditions were
13 violated~~[7]~~ or taking any other applicable action such as an action
14 described by Subsection (a-1).

15 (a-1) If a defendant is taken before a magistrate for
16 committing an offense punishable as a felony while released on bail
17 for another offense punishable as a felony, the court before which
18 the case for the previous offense is pending shall consider whether
19 to revoke or modify the terms of the previous bond or to otherwise
20 reevaluate the previous bail decision.

21 (a-2) A magistrate appointed under Chapter 54, Government
22 Code, may not release on bail a defendant who:

23 (1) is charged with committing an offense punishable
24 as a felony if the defendant:

25 (A) was released on bail, parole, or community
26 supervision for an offense punishable as a felony at the time of the
27 instant offense;

1 (B) has previously been finally convicted of two
2 or more offenses punishable as a felony and for which the defendant
3 was imprisoned in the Texas Department of Criminal Justice; or

4 (C) is subject to an immigration detainer issued
5 by United States Immigration and Customs Enforcement; or

6 (2) is charged with committing an offense under the
7 following provisions of the Penal Code:

8 (A) Section 19.02 (murder);

9 (B) Section 19.03 (capital murder);

10 (C) Section 20.04 (aggravated kidnapping); or

11 (D) Section 22.021 (aggravated sexual assault).

12 (a-3) An order granting bail signed by a magistrate
13 appointed under Chapter 54, Government Code, must include the names
14 of each individual who appointed the magistrate and state that the
15 magistrate was appointed by those individuals.

16 (c) The local administrative district judge for each county
17 shall designate an individual to receive electronic notices under
18 Subsection (a)(2). The county shall ensure that the name and
19 contact information of the individual designated to receive notices
20 under this subsection are included in the public safety report
21 system developed under Article 17.021.

22 (d) An individual designated under Subsection (c) who
23 receives an electronic notice under Subsection (a) shall promptly
24 provide the notice to the court specified by Subsection (a)(1), to
25 the district clerk, and to the attorney representing the state and
26 the defendant's attorney, if known, in the pending case for the
27 offense for which the defendant was initially released on bail. A

1 notice provided under this subsection does not constitute an ex
2 parte communication.

3 SECTION 6. Chapter 17, Code of Criminal Procedure, is
4 amended by adding Article 17.029 to read as follows:

5 Art. 17.029. REVIEW OF BAIL DECISION. (a) This article
6 applies only to a bail decision:

7 (1) regarding a defendant charged with or arrested for
8 an offense punishable as a felony; and

9 (2) that was made under Article 17.028 by the
10 magistrate of a court that does not have jurisdiction to try the
11 offense with which the defendant is charged.

12 (b) Notwithstanding any other law, a district judge in any
13 county in which the offense for which the person was arrested will
14 be tried or in any county in which the charge for that offense will
15 be filed has jurisdiction to modify a bail decision to which this
16 article applies, regardless of whether the defendant has been
17 previously indicted or an information has been previously filed for
18 the offense for which the defendant was arrested.

19 (c) The local administrative judge for each county shall
20 establish a procedure for the district clerk to notify each
21 district judge in the county that the district clerk received a
22 request to review a bail decision under this article.

23 (d) A district judge must review a bail decision as soon as
24 practicable but not later than the next business day after the date
25 a request to review the bail decision is filed with the district
26 clerk by an attorney representing the state.

27 (e) A district judge reviewing a bail decision under this

1 article shall comply with Article 17.09 and shall consider the
2 facts presented and the rules established by Article 17.15(a) in
3 setting the defendant's bail.

4 (f) If a district judge modifies a bail decision under this
5 article to increase the amount of bail or to require additional
6 conditions of bail for a defendant who is not in custody, the judge
7 shall:

8 (1) issue a summons for the defendant to appear before
9 the judge; and

10 (2) give the defendant a reasonable opportunity to
11 appear before issuing a warrant for the defendant's arrest.

12 SECTION 7. Articles 17.03(a) and (b-2), Code of Criminal
13 Procedure, are amended to read as follows:

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

18 (b-2) Except as provided by Articles 15.21, 17.032, 17.033,
19 and 17.151, a defendant may not be released on personal bond if the
20 defendant:

21 (1) is charged with:

22 (A) an offense involving violence; or

23 (B) an offense under:

24 (i) Section 19.02(b)(4), Penal Code (murder
25 as a result of manufacture or delivery of a controlled substance in
26 Penalty Group 1-B);

27 (ii) Section 22.07, Penal Code (terroristic

1 threat), if the offense is punishable as a Class A misdemeanor or
2 any higher category of offense;

3 (iii) Section 25.07, Penal Code (violation
4 of certain court orders or conditions of bond in a family violence,
5 child abuse or neglect, sexual assault or abuse, indecent assault,
6 stalking, or trafficking case); or

7 (iv) Section 46.04(a), Penal Code (unlawful
8 possession of firearm); or

9 (2) while released on bail, parole, or community
10 supervision for an offense involving violence, is charged with
11 committing:

12 (A) any offense punishable as a felony; or

13 (B) an offense under the following provisions of
14 the Penal Code:

15 (i) Section 22.01(a)(1) (assault);

16 (ii) Section 22.05 (deadly conduct); or

17 ~~(iii) [Section 22.07 (terroristic threat);~~

18 ~~or~~

19 ~~[(iv)]~~ Section 42.01(a)(7) or (8)

20 (disorderly conduct involving firearm).

21 SECTION 8. Articles 17.071(a), (f), (h), and (k), Code of
22 Criminal Procedure, are amended to read as follows:

23 (a) In this article:

24 (1) "Charitable~~[,—"charitable]~~ bail organization"

25 means a person who accepts and uses donations from the public to
26 deposit money with a court in the amount of a defendant's bail bond.

27 The term does not include:

1 (A) [~~(1)~~] a person accepting donations with
2 respect to a defendant who is a member of the person's family, as
3 determined under Section 71.003, Family Code; or

4 (B) [~~(2)~~] a nonprofit corporation organized for
5 a religious purpose.

6 (2) "Office" means the Office of Court Administration
7 of the Texas Judicial System.

8 (f) Not later than the 10th day of each month, a charitable
9 bail organization shall submit to the office and [~~7~~] to the sheriff
10 of each county in which the organization files an affidavit under
11 Subsection (e), a report that includes the following information
12 for each defendant for whom the organization paid a bail bond in the
13 preceding calendar month:

14 (1) the name of the defendant;

15 (2) the cause number of the case;

16 (3) each charge for which the bond was paid;

17 (4) the category of offense for each charge for which
18 the bond was paid;

19 (5) the amount of the bond paid;

20 (6) the county in which the applicable charge is
21 pending, if different from the county in which the bond was paid;

22 (7) ~~and~~

23 [~~(4)~~] any dates on which the defendant has failed to
24 appear in court as required for the charge for which the bond was
25 paid; and

26 (8) whether a bond forfeiture has occurred in
27 connection with the charge for which the bond was paid.

1 (h) If the office has reason to believe that a charitable
2 bail organization may have paid one or more bonds in violation of
3 this article, the office shall report that information to the
4 sheriff of the county in which the suspected violation occurred.
5 The sheriff of that [~~a~~] county may suspend a charitable bail
6 organization from paying bail bonds in the county for a period not
7 to exceed one year if the sheriff determines the organization has
8 paid one or more bonds in violation of this article and the
9 organization has received a warning from the sheriff in the
10 preceding 12-month period for another payment of bond made in
11 violation of this article. The sheriff shall report the suspension
12 to the office [~~Office of Court Administration of the Texas Judicial~~
13 ~~System~~].

14 (k) Not later than December 1 of each year, the office
15 [~~Office of Court Administration of the Texas Judicial System~~] shall
16 prepare and submit, to the governor, lieutenant governor, speaker
17 of the house of representatives, and presiding officers of the
18 standing committees of each house of the legislature with primary
19 jurisdiction over the judiciary, a report regarding the information
20 submitted to the office under Subsections (f) [~~(f-1)~~] and (h) for
21 the preceding state fiscal year.

22 SECTION 9. Section 3, Article [17.09](#), Code of Criminal
23 Procedure, is amended to read as follows:

24 Sec. 3. Provided that whenever, during the course of the
25 action, and regardless of whether the defendant has been previously
26 released under Article [17.151](#), the judge or magistrate in whose
27 court such action is pending finds that the bond is defective,

1 excessive or insufficient in amount, or that the sureties, if any,
2 are not acceptable, or for any other good and sufficient cause, such
3 judge or magistrate may, either in term-time or in vacation, order
4 the accused to be rearrested, and require the accused to give
5 another bond in such amount as the judge or magistrate may deem
6 proper. When such bond is so given and approved, the defendant
7 shall be released from custody.

8 SECTION 10. Chapter 17, Code of Criminal Procedure, is
9 amended by adding Article 17.092 to read as follows:

10 Art. 17.092. REDUCTION IN AMOUNT OR CONDITIONS OF BOND
11 PROHIBITED IN CERTAIN CIRCUMSTANCES. A magistrate described by
12 Articles 2A.151(5)-(14) may not reduce the amount or conditions of
13 bond set by the judge of a district court, including the judge of a
14 district court in another county.

15 SECTION 11. Article 17.21, Code of Criminal Procedure, is
16 amended to read as follows:

17 Art. 17.21. BAIL IN FELONY. (a) In cases of felony, when
18 the accused is in custody of the sheriff or other officer, and the
19 court before which the prosecution is pending is in session in the
20 county where the accused is in custody, the court shall fix the
21 amount of bail, if it is aailable case and determine if the
22 accused is eligible for a personal bond; and the sheriff or other
23 peace officer, unless it be the police of a city, or a jailer
24 licensed under Chapter 1701, Occupations Code, is authorized to
25 take a bail bond of the accused in the amount as fixed by the court,
26 to be approved by such officer taking the same, and will thereupon
27 discharge the accused from custody. The defendant and the

1 defendant's sureties are not required to appear in court.

2 (b) Notwithstanding Subsection (a), before releasing on
3 bail a defendant charged with an offense punishable as a felony, a
4 magistrate shall ensure that:

5 (1) the defendant has appeared before the magistrate;
6 and

7 (2) the magistrate has considered the public safety
8 report prepared under Article 17.022 for the defendant.

9 SECTION 12. Chapter 27, Code of Criminal Procedure, is
10 amended by adding Article 27.20 to read as follows:

11 Art. 27.20. CONFINEMENT BEFORE SENTENCING ON PLEA OF GUILTY
12 OR NOLO CONTENDERE FOR CERTAIN OFFENSES. If a defendant is adjudged
13 guilty after entering a plea of guilty or nolo contendere for an
14 offense listed in Article 42A.054(a) punishable as a felony of the
15 second degree or any higher category of offense and for which the
16 defendant is not eligible for community supervision under Article
17 42A.055 as provided by Article 42A.056, the court shall order that
18 the defendant be taken into custody and confined until the
19 defendant is sentenced.

20 SECTION 13. Article 42.01, Code of Criminal Procedure, is
21 amended by adding Section 17 to read as follows:

22 Sec. 17. In addition to the information described by
23 Section 1, the judgment must reflect affirmative findings entered
24 pursuant to Article 42.0195.

25 SECTION 14. Chapter 42, Code of Criminal Procedure, is
26 amended by adding Article 42.0195 to read as follows:

27 Art. 42.0195. FINDING REGARDING FAILURE TO APPEAR. In the

1 disposition of a criminal case involving any offense punishable as
2 a Class B misdemeanor or any higher category of offense, the judge
3 shall make an affirmative finding of fact and enter the affirmative
4 finding in the judgment or dismissal order in the case if the judge
5 determines that the defendant wilfully failed to appear after the
6 defendant was released from custody for the offense. The
7 affirmative finding must include the number of times the defendant
8 failed to appear for the offense.

9 SECTION 15. Article 44.01, Code of Criminal Procedure, is
10 amended by amending Subsections (a) and (g) and adding Subsections
11 (f-1) and (f-2) to read as follows:

12 (a) The state is entitled to appeal an order of a court in a
13 criminal case if the order:

14 (1) dismisses an indictment, information, or
15 complaint or any portion of an indictment, information, or
16 complaint;

17 (2) arrests or modifies a judgment;

18 (3) grants a new trial;

19 (4) sustains a claim of former jeopardy;

20 (5) grants a motion to suppress evidence, a
21 confession, or an admission, if jeopardy has not attached in the
22 case and if the prosecuting attorney certifies to the trial court
23 that the appeal is not taken for the purpose of delay and that the
24 evidence, confession, or admission is of substantial importance in
25 the case; ~~or~~

26 (6) is issued under Chapter 64; or

27 (7) grants bail, in an amount considered insufficient

1 by the prosecuting attorney, to a defendant who:

2 (A) is charged with an offense under any of the
3 following sections of the Penal Code:

4 (i) Section 19.02 (murder);

5 (ii) Section 19.03 (capital murder);

6 (iii) Section 22.02 (aggravated assault)

7 if:

8 (a) the offense was committed under
9 Subsection (a)(1); or

10 (b) the defendant used a firearm,
11 club, knife, or explosive weapon, as those terms are defined by
12 Section 46.01, Penal Code, during the commission of the assault;

13 (iv) Section 20.04 (aggravated
14 kidnapping);

15 (v) Section 29.03 (aggravated robbery);

16 (vi) Section 22.021 (aggravated sexual
17 assault);

18 (vii) Section 21.11 (indecent with a
19 child);

20 (viii) Section 20A.02 (trafficking of
21 persons); or

22 (ix) Section 20A.03 (continuous
23 trafficking of persons); or

24 (B) is charged with an offense punishable as a
25 felony and was released on bail for an offense punishable as a
26 felony at the time the instant offense was committed.

27 (f-1) In an appeal filed under Subsection (a)(7), a court of

1 appeals shall:

- 2 (1) conduct a de novo review of all issues presented;
3 (2) expedite the appeal; and
4 (3) issue an order not later than the 20th day after
5 the date the appeal is filed.

6 (f-2) In an appeal filed under Subsection (a)(7), a court of
7 appeals may:

8 (1) affirm or modify the bail amount set by the court;

9 or

10 (2) reject the bail amount set by the court and remand
11 the case to the court, with or without guidance, for modification of
12 the bail amount.

13 (g) If the state appeals pursuant to this article and the
14 defendant is on bail, the defendant [~~he~~] shall be permitted to
15 remain at large on the existing bail. If the defendant is in
16 custody, the defendant [~~he~~] is entitled to reasonable bail, as
17 provided by law, unless the appeal is from an order which would:

18 (1) terminate the prosecution, in which event the
19 defendant is entitled to release on personal bond; or

20 (2) grant bail in an amount considered insufficient by
21 the prosecuting attorney, in which event the defendant shall be
22 held in custody during the pendency of the appeal.

23 SECTION 16. Article 56A.051(a), Code of Criminal Procedure,
24 is amended to read as follows:

25 (a) A victim, guardian of a victim, or close relative of a
26 deceased victim is entitled to the following rights within the
27 criminal justice system:

1 (1) the right to receive from a law enforcement agency
2 adequate protection from harm and threats of harm arising from
3 cooperation with prosecution efforts;

4 (2) the right to have the magistrate consider the
5 safety of the victim or the victim's family in setting the amount of
6 bail for the defendant;

7 (3) if requested, the right to be informed in the
8 manner provided by Article [56A.0525](#):

9 (A) by the attorney representing the state of
10 relevant court proceedings, including appellate proceedings, and
11 to be informed if those proceedings have been canceled or
12 rescheduled before the event; and

13 (B) by an appellate court of the court's
14 decisions, after the decisions are entered but before the decisions
15 are made public;

16 (4) when requested, the right to be informed in the
17 manner provided by Article [56A.0525](#):

18 (A) by a peace officer concerning the defendant's
19 right to bail and the procedures in criminal investigations; and

20 (B) by the office of the attorney representing
21 the state concerning:

22 (i) the general procedures in the criminal
23 justice system, including general procedures in guilty plea
24 negotiations and arrangements, restitution, and the appeals and
25 parole process; and

26 (ii) whether the defendant has fully
27 complied with any conditions of the defendant's bail;

1 (5) the right to provide pertinent information to a
2 community supervision and corrections department conducting a
3 presentencing investigation concerning the impact of the offense on
4 the victim and the victim's family by testimony, written statement,
5 or any other manner before any sentencing of the defendant;

6 (6) the right to receive information, in the manner
7 provided by Article [56A.0525](#):

8 (A) regarding compensation to victims of crime as
9 provided by Chapter [56B](#), including information related to the costs
10 that may be compensated under that chapter and the amount of
11 compensation, eligibility for compensation, and procedures for
12 application for compensation under that chapter;

13 (B) for a victim of a sexual assault, regarding
14 the payment under Subchapter G for a forensic medical examination;
15 and

16 (C) when requested, providing a referral to
17 available social service agencies that may offer additional
18 assistance;

19 (7) the right to:

20 (A) be informed, on request, and in the manner
21 provided by Article [56A.0525](#), of parole procedures;

22 (B) participate in the parole process;

23 (C) provide to the board for inclusion in the
24 defendant's file information to be considered by the board before
25 the parole of any defendant convicted of any offense subject to this
26 chapter; and

27 (D) be notified in the manner provided by Article

1 56A.0525, if requested, of parole proceedings concerning a
2 defendant in the victim's case and of the defendant's release;

3 (8) the right to be provided with a waiting area,
4 separate or secure from other witnesses, including the defendant
5 and relatives of the defendant, before testifying in any proceeding
6 concerning the defendant; if a separate waiting area is not
7 available, other safeguards should be taken to minimize the
8 victim's contact with the defendant and the defendant's relatives
9 and witnesses, before and during court proceedings;

10 (9) the right to the prompt return of any of the
11 victim's property that is held by a law enforcement agency or the
12 attorney representing the state as evidence when the property is no
13 longer required for that purpose;

14 (10) the right to have the attorney representing the
15 state notify the victim's employer, if requested, that the victim's
16 cooperation and testimony is necessary in a proceeding that may
17 require the victim to be absent from work for good cause;

18 (11) the right to request victim-offender mediation
19 coordinated by the victim services division of the department;

20 (12) the right to be informed, in the manner provided
21 by Article 56A.0525, of the uses of a victim impact statement and
22 the statement's purpose in the criminal justice system as described
23 by Subchapter D, to complete the victim impact statement, and to
24 have the victim impact statement considered:

25 (A) by the attorney representing the state and
26 the judge before sentencing or before a plea bargain agreement is
27 accepted; and

1 (B) by the board before a defendant is released
2 on parole;

3 (13) for a victim of an assault or sexual assault who
4 is younger than 17 years of age or whose case involves family
5 violence, as defined by Section 71.004, Family Code, the right to
6 have the court consider the impact on the victim of a continuance
7 requested by the defendant; if requested by the attorney
8 representing the state or by the defendant's attorney, the court
9 shall state on the record the reason for granting or denying the
10 continuance; and

11 (14) if the offense is a capital felony, the right to:

12 (A) receive by mail from the court a written
13 explanation of defense-initiated victim outreach if the court has
14 authorized expenditures for a defense-initiated victim outreach
15 specialist;

16 (B) not be contacted by the victim outreach
17 specialist unless the victim, guardian, or relative has consented
18 to the contact by providing a written notice to the court; and

19 (C) designate a victim service provider to
20 receive all communications from a victim outreach specialist acting
21 on behalf of any person.

22 SECTION 17. Section 72.038, Government Code, is amended by
23 adding Subsections (b-1) and (c-1) and amending Subsection (c) to
24 read as follows:

25 (b-1) A person who, under the authority of a standing order
26 related to bail, releases on bail a defendant who is charged with an
27 offense punishable as a Class B misdemeanor or any higher category

1 of offense shall complete the form required under this section.

2 (c) The person setting bail, an employee of the court that
3 set the defendant's bail, or an employee of the county in which the
4 defendant's bail was set must, on completion of the form required
5 under this section, promptly but not later than 48 [~~72~~] hours after
6 the time the defendant's bail is set provide the form
7 electronically to the office through the public safety report
8 system.

9 (c-1) The office shall provide to the elected district
10 attorney in each county an electronic copy of the form submitted to
11 the office under Subsection (c) for each defendant whose bail is set
12 in the county for an offense involving violence, as defined by
13 Article 17.03, Code of Criminal Procedure. An elected district
14 attorney shall provide an e-mail address to the office for the
15 purpose of receiving a form as provided by this subsection.

16 SECTION 18. Section 51A.003(b), Human Resources Code, is
17 amended to read as follows:

18 (b) The notice adopted under this section must include the
19 following in both English and Spanish:

20 (1) a statement that it is a criminal offense for any
21 person, including a member of the family or former member of the
22 family, to cause physical injury or harm to a victim or to engage in
23 conduct constituting stalking, harassment, or terroristic threat
24 toward a victim;

25 (2) a list of agencies and social organizations that
26 the victim may contact for assistance with safety planning,
27 shelter, or protection;

- 1 (3) contact information for:
- 2 (A) the National Domestic Violence Hotline;
- 3 (B) victim support services at the Department of
- 4 Public Safety; and
- 5 (C) the commission's family violence program;
- 6 and
- 7 (4) information regarding the legal rights of a
- 8 victim, including information regarding:
- 9 (A) the filing of criminal charges and obtaining
- 10 a protective order or a magistrate's order for emergency
- 11 protection; ~~and~~
- 12 (B) the ability of a tenant who is a victim of
- 13 family violence to vacate a dwelling and terminate a residential
- 14 lease; and
- 15 (C) the ability of the victim to provide
- 16 information to the local prosecutor that will be helpful to a
- 17 magistrate setting bail if the person committing the offense is
- 18 arrested.

19 SECTION 19. Article 17.071(f-1), Code of Criminal

20 Procedure, is repealed.

21 SECTION 20. As soon as practicable but not later than

22 October 1, 2025, the Texas Supreme Court shall adopt rules

23 necessary to implement Article 44.01(f-1), Code of Criminal

24 Procedure, as added by this Act.

25 SECTION 21. The change in law made by this Act applies only

26 to an offense committed on or after the effective date of this Act.

27 An offense committed before the effective date of this Act is

1 governed by the law in effect on the date the offense was committed,
2 and the former law is continued in effect for that purpose. For
3 purposes of this section, an offense was committed before the
4 effective date of this Act if any element of the offense occurred
5 before that date.

6 SECTION 22. (a) Except as otherwise provided by this
7 section, this Act takes effect September 1, 2025.

8 (b) The following provisions, as added by this Act, take
9 effect January 1, 2026:

- 10 (1) Article 16.24, Code of Criminal Procedure;
- 11 (2) Articles 17.021(c-1), (h), and (h-1), Code of
12 Criminal Procedure;
- 13 (3) Articles 17.027(c) and (d), Code of Criminal
14 Procedure; and
- 15 (4) Section 72.038(c-1), Government Code.

16 (c) The following provisions take effect April 1, 2026:

- 17 (1) Article 17.021(b), Code of Criminal Procedure, as
18 amended by this Act;
- 19 (2) Article 17.027(a), Code of Criminal Procedure, as
20 amended by this Act; and
- 21 (3) Article 17.027(a-1), Code of Criminal Procedure,
22 as added by this Act.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 9 passed the Senate on February 19, 2025, by the following vote: Yeas 28, Nays 2; and that the Senate concurred in House amendment on May 29, 2025, by the following vote: Yeas 29, Nays 2.

Secretary of the Senate

I hereby certify that S.B. No. 9 passed the House, with amendment, on May 20, 2025, by the following vote: Yeas 118, Nays 25, three present not voting.

Chief Clerk of the House

Approved:

Date

Governor