

By: Huffman, et al.  
(Smithee, et al.)

S.B. No. 40

Substitute the following for S.B. No. 40:

By: Smithee

C.S.S.B. No. 40

A BILL TO BE ENTITLED

AN ACT

relating to the use by a political subdivision of public funds to pay bail bonds; authorizing injunctive relief.

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

SECTION 1. Chapter 140, Local Government Code, is amended by adding Section 140.014 to read as follows:

Sec. 140.014. RESTRICTION ON USE OF PUBLIC FUNDS BY POLITICAL SUBDIVISIONS TO PAY BAIL BONDS. (a) A political subdivision may not spend public funds to pay a nonprofit organization that accepts and uses donations from the public to deposit money with a court in the amount of a defendant's bail bond.

(b) If a political subdivision engages in an activity prohibited by Subsection (a), a taxpayer or resident of the political subdivision is entitled to appropriate injunctive relief to prevent further activity prohibited by that subsection and further payment of public funds related to that activity.

(c) A party that prevails in an action under Subsection (b) is entitled to recover the party's reasonable attorney's fees and costs.

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