

BILL ANALYSIS

H.B. 172
By: Keel
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Legislation passed last session limited the persons who may contract with a bail bond surety to secure the return of a fugitive. The language, literally interpreted, would prohibit a bail bond surety or his employees from securing the appearance of their own clients. House Bill 172 clarifies the law to authorize sureties and their employees to secure the appearance of their principals.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

House Bill 172 amends the Criminal Procedure and Occupations codes relating to securing the appearance of certain person who have been released on bail. The bill allows a licensed bail bond surety, an agent designated in the license application of a corporate bail bond surety (agent), or a full-time employee of either one, to secure the appearance of a person who has forfeited a bail bond. An issued arrest warrant, when a surety desires to surrender his principal, or a capias may be executed by a commissioned security officer employed by a licensed guard company, an individual licensed under the Private Security Act or the manager of a licensed investigations company, a licensed bail bond surety or the surety's full-time employee, or an agent or the agent's full time employee.

EFFECTIVE DATE

September 1, 2003.