

By: McClendon

H.B. No. 90

Substitute the following for H.B. No. 90:

By: Keel

C.S.H.B. No. 90

A BILL TO BE ENTITLED

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AN ACT

relating to the release on bail of a person arrested for an intoxication or alcoholic beverage offense.

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

SECTION 1. Article 17.29, Code of Criminal Procedure, is amended by amending Subsection (a) and adding Subsection (e) to read as follows:

(a) When the accused has given the required bond, either to the magistrate or the officer having him in custody, he shall at once be set at liberty, except as provided by this article.

(e) Before releasing on bail a person arrested for an offense under Chapter 49, Penal Code, the law enforcement agency holding the person shall make a determination that the person is no longer intoxicated as defined by Section 49.01, Penal Code.

SECTION 2. This Act takes effect September 1, 2003.