

By: Keel

H.B. No. 172

A BILL TO BE ENTITLED

AN ACT

relating to securing the appearance of certain persons who have been released on bail; providing a criminal penalty.

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

SECTION 1. Section 1702.3863(a), Occupations Code, is amended to read as follows:

(a) A person commits an offense if the person contracts with ~~[or is employed by]~~ a bail bond surety as defined by Chapter 1704 to secure the appearance of a person who has forfeited a bail bond ~~[violated Section 38.10, Penal Code,]~~ unless the person is:

(1) a peace officer;

(2) an individual licensed as a private investigator or the manager of a licensed investigations company; ~~[or]~~

(3) a commissioned security officer employed by a licensed guard company;

(4) a bail bond surety who holds a license under Chapter 1704 as an individual;

(5) the agent designated in the license application of a corporate bail bond surety under Chapter 1704; or

(6) a full-time employee of:

(A) a bail bond surety who holds a license under Chapter 1704 as an individual; or

(B) the agent designated in the license application of a corporate bail bond surety under Chapter 1704.

1 SECTION 2. Article 17.19(e), Code of Criminal Procedure,  
2 is amended to read as follows:

3 (e) An arrest warrant issued under this article may be  
4 executed by:

5 (1) a peace officer;

6 (2) ~~[7]~~ a commissioned security officer employed by a  
7 guard company licensed under Chapter 1702, Occupations Code;

8 (3) an individual licensed under Chapter 1702,  
9 Occupations Code, as~~[7, or]~~ a private investigator or the manager of  
10 a licensed investigations company;

11 (4) a bail bond surety who holds a license under  
12 Chapter 1704, Occupations Code, as an individual;

13 (5) the agent that is designated in the license  
14 application of a corporate bail bond surety under Chapter 1704,  
15 Occupations Code; or

16 (6) a full-time employee of:

17 (A) a bail bond surety who holds a license under  
18 Chapter 1704, Occupations Code, as an individual; or

19 (B) the agent that is designated in the license  
20 application of a corporate bail bond surety under Chapter 1704,  
21 Occupations Code [~~licensed in this state~~].

22 SECTION 3. Article 23.05(b), Code of Criminal Procedure,  
23 is amended to read as follows:

24 (b) A capias issued under this article may be executed by:

25 (1) a peace officer;

26 (2) an individual licensed under Chapter 1702,  
27 Occupations Code, as [~~or by~~] a private investigator or the manager

1 of a licensed investigations company;

2 (3) a commissioned security officer employed by a  
3 guard company licensed under Chapter 1702, Occupations Code;

4 (4) a bail bond surety who holds a license under  
5 Chapter 1704, Occupations Code, as an individual;

6 (5) the agent that is designated in the license  
7 application of a corporate bail bond surety under Chapter 1704,  
8 Occupations Code; or

9 (6) a full-time employee of:

10 (A) a bail bond surety who holds a license under  
11 Chapter 1704, Occupations Code, as an individual; or

12 (B) the agent that is designated in the license  
13 application of a corporate bail bond surety under Chapter 1704,  
14 Occupations Code.

15 SECTION 4. This Act takes effect September 1, 2003.