

By: Hartnett

H.B. No. 1467

A BILL TO BE ENTITLED

AN ACT

relating to the release of bond obligations by bail bond sureties;
providing criminal penalties.

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

SECTION 1. Subchapter E, Chapter 1704, Occupations Code, is amended by adding Sections 1704.214 and 1704.215 to read as follows:

Sec. 1704.214. RELEASE FROM LIABILITY; REFUND. The license holder shall refund any fee paid by a person for a bond or surety if the license holder is released from liability on the bond or surety.

Sec. 1704.215. RELEASE FROM LIABILITY; SURRENDER OF PRINCIPAL AND RELATED FEES. If a license holder receives permission from a court to be released from liability on a bond, and the principal of the bond is later the subject of an arrest warrant for the case for which the obligations were released, the license holder shall pay to the sheriff:

(1) \$50, if the license holder surrenders the principal to the sheriff;

(2) \$150, if the principal is arrested in the county, except as provided by Subdivision (1); or

(3) the greater of the actual costs incurred in making the arrest or \$150, if the principal is arrested outside the county.

SECTION 2. Subchapter G, Chapter 1704, Occupations Code, is amended by adding Section 1704.307 to read as follows:

1 Sec. 1704.307. CHURNING OF BAIL BONDS; OFFENSE. (a) A
2 license holder who has been released from liability on a bond may
3 not execute a bond for the same principal on the same case, or
4 recommend that another license holder execute a bond for the same
5 principal on the same case.

6 (b) A person commits an offense if the person violates this
7 section. An offense under this section is a Class B misdemeanor.

8 SECTION 3. This Act takes effect September 1, 2003.