

By: Lewis

H.B. No. 3520

A BILL TO BE ENTITLED

AN ACT

relating to the composition of a bail bond board.

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

SECTION 1. Section 1704.053, Occupations Code, is amended to read as follows:

Sec. 1704.053. BOARD COMPOSITION. A board consists of:

(1) the sheriff or a designee from the sheriff's office who must be the sheriff's administrator or a deputy sheriff of the rank of at least sergeant;

(2) a district judge of the county having jurisdiction over criminal matters and designated by the presiding judge of the administrative judicial district;

(3) the county judge, a member of the commissioners court designated by the county judge, or a designee approved by the commissioners court;

(4) a judge of a county court or county court at law in the county having jurisdiction over criminal matters and designated by the commissioners court;

(5) the district attorney or an assistant district attorney designated by the district attorney;

(6) a licensed bail bond surety in the county elected by other licensed bail bond sureties in the county;

(7) a justice of the peace;

(8) the district clerk or the clerk's designee;

1           (9) the county clerk or the clerk's designee, if the  
2 county clerk has responsibility over criminal matters;

3           (10) if appointed by the board, a presiding judge of a  
4 municipal court in the county;

5           (11) if the county's principal municipality designates  
6 a presiding judge in the municipal court system, the presiding  
7 judge or a municipal judge from the system designated by the  
8 presiding judge; ~~and~~

9           (12) the county treasurer or the treasurer's designee  
10 or, if appointed by the commissioners court in a county that does  
11 not have a county treasurer, the person designated by the county  
12 commissioners court to perform the duties of the county treasurer;  
13 and

14           (13) a criminal defense attorney practicing in the  
15 county and elected by other attorneys whose principal place of  
16 business is located in the county and who are not legally prohibited  
17 from representing criminal defendants.

18           SECTION 2. This Act takes effect immediately if it receives  
19 a vote of two-thirds of all the members elected to each house, as  
20 provided by Section 39, Article III, Texas Constitution. If this  
21 Act does not receive the vote necessary for immediate effect, this  
22 Act takes effect September 1, 2003.