

By: Uresti

H.B. No. 3231

A BILL TO BE ENTITLED

AN ACT

relating to requiring certain criminal defendants released on personal bond to post an additional cash bond.

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

SECTION 1. Article 17.03, Code of Criminal Procedure, is amended by amending Subsection (a) and adding Subsection (h) to read as follows:

(a) Except as provided by Subsections [~~Subsection~~] (b) and (h) [~~of this article~~], a magistrate may, in the magistrate's discretion, release the defendant on his personal bond without sureties or other security.

(h) In addition to ordering a defendant released on personal bond to pay a personal bond fee assessed under Article 17.42, a magistrate may order a defendant, as a condition of bond, to post a cash bond in an amount not to exceed 10 percent of the bail amount set in the case. A cash bond posted under this subsection must be deposited, held, and, if applicable, refunded to the defendant in the same manner as cash funds deposited under Article 17.02.

SECTION 2. The changes in law made by this Act apply only to a defendant charged with an offense committed on or after the effective date of this Act. A defendant charged with an offense committed before the effective date of this Act is covered by the law in effect at the time the offense was committed, and the former law is continued in effect for that purpose. For purposes of this

1 section, an offense was committed before the effective date of this
2 Act if any element of the offense was committed before that date.

3 SECTION 3. This Act takes effect September 1, 2005.